

10.10.2023

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**CPAN 131 OF 2023
with
IA No. 1 of 2020 (Old No. 1043 of 2020)
in
WPA 7998 of 2022
with
WPA 5087 of 2019**

**Sekhar Sarkar
Vs.
Dr. Sneha Manju Basu**

Mr. Goutam Kumar Thakur
... For the petitioner.

Mr. Piyush Chaturvedi
Mr. Dwaipayan Sengupta
Mr. Samrat Dey Paul
... For the alleged contemnor.

Let the affidavit-of-compliance filed by the university be kept with the records.

Mr. Thakur, learned advocate appearing for the petitioner contends that the university has not given any benefit for the service rendered by the petitioner from 1981 to 2013.

Mr. Piyush Chaturvedi, learned advocate representing the university has drawn my attention to the annexures 28, 29 and 30 to the affidavit-of-compliance.

It appears that the date of appointment of the petitioner was treated to be July 04, 1981 and the university had released the retiral dues treating the petitioner to be retired from service on attaining 60 years of age on April 30, 2022.

The calculation, as appearing at pages 28 to 30 of the affidavit-of-compliance, suggests that in releasing the retiral dues, the service rendered by the petitioner since July 04, 1981 to April 30, 2022 was taken into consideration.

I am of the view that the university duly complied with the order dated September 16, 2022.

However, I make it clear that if the petitioner is aggrieved by the calculation of his retiral dues, he will be entitled to challenge the same by filing a separate writ petition.

Accordingly, **CPAN 131 of 2023** is disposed of.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)