

10 13.04.2022
rkd Ct.15

W.P.A. 8846 of 1997

Ms. Kakali Saha & Ors.

-vs-

Mayor & Ors.

Mr. Ram Krishna Chandra

....for the petitioners.

Mr. Ranajit Chatterjee,
Mr. Arijit Dey

....for the KMC.

Pursuant to the previous order passed by this Court Mr. Chatterjee, learned advocate representing the Kolkata Municipal Corporation has submitted a report today and this Court has perused the said report dated 20th January, 2022 wherein the admissible amounts payable to the petitioners due to the retirement of the deceased employee on 31st December, 2018 have been indicated.

It appears from such report that following sums are payable:-

- i) Rs.21,890/- towards Group Insurance (GI) with interest;
- ii) Rs.56,684/- towards General Provident Fund (GPF);
- iii) Rs.7,46,400/- towards benefit of Leave Encashment for 300 days.

In addition thereto, it has further been

stated in such report dated 20th January, 2022 that the gross pension of the petitioner has been fixed at Rs.42,116/- per month on 1st January, 2019, at Rs. 48,450/- per month on 1st January, 2020 and at Rs.49,889/- per months on 1st January, 2021 onwards.

According to Kolkata Municipal Corporation the above sums are admissible amounts which are payable to the petitioners. However, Mr. Chandra, learned advocate representing the petitioners disputes some amounts and has made submissions before this Court that the petitioners are entitled to the excess amount in addition to the amounts which have been calculated and which have been found to be payable as admissible.

Having considered the submissions made on behalf the learned advocates representing the petitioners and the Kolkata Municipal Corporation and as it has been submitted by Mr. Chatterjee that for finally preparing the pension papers signatures of the substituted writ petitioners are necessary; this Court directs all the three substituted petitioners to attend the office of Kolkata Municipal Corporation at 5 S.N. Banerjee Road, Kolkata-700013 on 20th April, 2022 at 12 noon and the petitioners shall attend Pension Cell

for compliance of the formalities.

Petitioners shall be carrying the documents in support of their identity. All formalities shall be concluded on the same date i.e. 20th April, 2022 in presence of the three substituted petitioners and subsequently the concerned authority of the KMC is directed to release the aforementioned admissible retiral dues within a period of eight weeks thereafter.

With the above direction the writ petition stands disposed of.

However, there shall be no order as to costs.

Report filed by the Kolkata Municipal Corporation is taken on record.

However, if the petitioners have any grievance on quantification of aforesaid admissible sums this order shall not preclude them from questioning the same in accordance with law.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)