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14.09.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 12379 of 2022

**Sri Tapan Bhattacharya
-versus
The Baidyabati Municipality & Ors.**

**Mr. Partha Sarkar,
Mr. Abhijit Basu.
...For the Petitioner.**

The calculation handed over by the learned advocate for the Baidyabati Municipality discloses that the total dues of the petitioner is Rs.2,29,306/- only. The said amount does not take into consideration the revision of pay of the year 2019.

The petitioner has retired from service on 30th November, 2018. He is yet to receive his terminal benefits in full.

In view of the above, the Chairman of the Baidyabati Municipality is directed to forward all the documents of the petitioner to the office of the Director of Pension, Provident Fund & Group Insurance so that steps may be taken for disbursing the terminal dues of the petitioner.

The Director of Pension, Provident Fund & Group Insurance shall issue revised Pension Payment Order in favour of the petitioner after taking into consideration the enhancement of pay on account of ROPA 2019.

The Municipality shall forward the documents to the Director of Pension, Provident Fund & Group Insurance at the earliest, but positively within a period of six weeks from the date of communication of a copy of this order.

The Director of Pension, Provident Fund & Group Insurance shall issue the necessary Pension Payment Order in favour of the petitioner within a period of six weeks from the date of receipt of the service records of the petitioner.

The respondents shall ensure that the petitioner receives his retiral dues in full latest within a period of six months from date.

As the payment was due to the petitioner on and from the next date of his retirement i.e. from 1st December, 2018 and the same will be paid in favour of the petitioner after delay of more than four years, accordingly, the petitioner shall be entitled to receive the amount along with interest calculated @7% per annum on and from the due date till the date of actual payment.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)