

31.03.2022
Court No. 19
Item no.11
GB

W.P.A. No. 14048 of 2021

Prasun Majumdar & Anr.

Versus

The State of West Bengal & Ors.

Mr. Sumanta Chakraborty,
Mr. Samerul Sardar.

..for the petitioners.

Mr. Arindam Das,
Ms. Rumeli Sarkar.

....for the Municipality.

The learned advocate appearing on behalf of the Berhampore Municipality is before this Court. It is submitted that the petitioners were terminated from service upon conclusion of a disciplinary proceeding. He further submits that whether there are any outstanding dues payable to the petitioners pursuant to the order of punishment imposed by the municipality, is to be ascertained.

The prayers in the writ petition are with regard to non-payment of subsistence allowance during the period when the petitioners were under suspension and also for non-payment of some admitted dues along with the provident fund dues.

The petitioners have made a representation before the municipality, which has not been disposed of. This court has not gone into the merits of the claim of the petitioners.

Learned advocate for the municipality submits that the contention of the petitioners with regard to the above non-payment and their eligibility to be paid the amounts could be ascertained after consulting the records.

Under such circumstances, the competent authority of the Berhampore Municipality is directed to dispose of the representation of both the petitioners dated March 13, 2021 and one undated, upon hearing the petitioners, in accordance with law. A reasoned order shall be passed and communicated to the petitioners.

The admitted dues shall be paid within three months and if the claims are not admissible, such fact with reasons, shall be disclosed in the order within the aforementioned period. The other points raised in this petition, have not been urged by the petitioners.

Accordingly, the writ petition is, thus, disposed of.

However, there shall be no order as to costs.

Parties are to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)