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21.09.2022
d.p.

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

W.P.A 18172 of 2022

**Bhola Mudi
-versus
The State of West Bengal & Ors.**

**Mr. Sarwar Jahan,
Ms. Anwesha Halder,
Mr. Maidul Islam Kayal,
Mr. Sumit Naskar.
...For the Petitioner.**

**Mr. Pinaki Dhole,
Mr. Avishek Prosad.
...For the State.**

**Mr. Dipankar Mondal,
Mr. Abdul Aziz Mondal.
...For the Chakdaha Municipality.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner is an employee of the Chakdaha Municipality who is due to retire from service on 30th June, 2025. He apprehends that he will not be paid his terminal benefits as the Director of Local Bodies is yet to grant post facto approval to his appointment.

There has been several communications by and between the Municipality and the Director of Local Bodies with regard to post facto approval of his appointment but no decision has been taken by the Director of Local Bodies till date.

No reason has been put forward by the Director of Local Bodies for not according the post facto approval to the service of the petitioner.

Accordingly, the Director of Local Bodies is directed to take a decision with regard to the prayer of the petitioner for grant of terminal benefits in accordance with law at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order. The Director of Local Bodies shall communicate the reasoned order to the petitioner immediately thereafter.

The Director of Local Bodies shall afford an opportunity of hearing to the petitioner and the representative of the Municipality prior to passing a final order in the matter.

The petitioner will be entitled to rely upon all documents including judgments passed by this Court and the Hon'ble Supreme Court in his favour at the time of hearing.

Learned advocate appearing for the petitioner is directed to forward to the aforesaid respondent the correspondences made between the Municipality and the Director of Local Bodies and the documents in support of the claim of the petitioner for grant of terminal benefits at the time of communicating the order of the Court.

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.)