

09.02.2022
Sl. No.15
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
(Via Video Conference)

WPA 20006 of 2021

Sudhansu Sekhar Manna
Vs.
The West Bengal Power Development
Corporation Limited & Ors.

Mr. Manojit Bhattacharya,
Mr. Madhusudan Mandal

....for the petitioner.

Mr. Ranjay De,
Mr. Basabjit Banerjee

....for the respondent nos.3 & 4.

Ms. Sipra Majumdar,
Ms. Sangeeta Roy

....for the State.

The petitioner has filed the writ petition challenging a memo dated 2nd December, 2020 and the action on the part of the West Bengal Power Development Corporation Limited (in short “WBPDC”) in refusing the 10% dearness relief and the medical relief to the petitioner.

On behalf of WBPDC, it is submitted that there has been suppression of fact on the part of the petitioner, which will be apparent from the letter dated 13th January, 2021 appearing at page 20 of the writ petition wherein the Public Information Officer of WBPDC has clarified the suppression.

This being the situation, I think justice will be sub-served if I direct the petitioner to make a

comprehensive representation challenging rejection of 10% dearness relief and the medical relief, which the petitioner says he is otherwise entitled to, before the Executive Director, Finance of WBPDCCL. The representation has to be made within 14th February, 2022. In the event such representation is made within 14th February, 2022, the said Executive Director, Finance, WBPDCCL shall dispose of such representation by 28th February, 2022 after affording the petitioner a reasonable opportunity to represent his case.

It is made clear that no unnecessary adjournment will be sought for by either of the parties, which will delay disposal of the representation, if so made within time. This direction is given so that the picture is clear before disbursement of the family pension for the month of March, 2022. WBPDCCL shall disburse the money month by month depending on the decision by the Executive Director, Finance, WBPDCCL, which in case of rejection may be accepted by the petitioner without prejudice.

Nothing further remains to be adjudicated in this writ petition and the same is disposed of without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted by the respondents.

The parties and the Executive Director, Finance, WBPDCCL shall act on the basis of a server copy of this order without insisting upon production of a certified copy thereof.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of necessary formalities.

(Arindam Mukherjee, J.)