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21.01.2022
Ct. No.10
b.das

W.P.A. 20485 of 2021

(Via Video Conference)

Sekh Momsad Mandal
Vs.
State of W.B. & Ors.

Mr. Uddipan Banerjee ...for the petitioner.

Ms. Debasree Dhamali ...for the State.

Mr. Sibojyoti Chakrabarti
....for the respondent Nos.1 & 2.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that the petitioner was employed with the 3rd respondent and superannuated on 1st July, 2014. Despite approaching the management of the 3rd respondent time and again, no gratuity was paid to the petitioner.

The application in Form-I, submitted by the petitioner earlier not heeded to by the employer, the petitioner filed an application in Form-N before the 2nd respondent, which was registered as Gratuity Case No. G-34/20/DLC/HOW but the said case is still pending before the authority. The petitioner prays for a direction upon the 2nd respondent for early disposal of the case.

The learned counsel for the 2nd respondent submits that due to the prevailing pandemic some time may be granted to this respondent for disposal of the case.

Having considered the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the gratuity case being No. G-34/20/DLC/HOW pending before it within a period of four months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

With the above observations and directions this writ petition being WPA 20485 of 2021 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)