

40
25.01.2022
Ct. No.10
d.g.

WPA 20863 of 2021

Sheo Kumar Debi
Vs.
The State of West Bengal & Ors.

(Via Video Conference)

Mr. Uddipan Banerjee ...for the petitioner

Mr. Chandi Charan Dey,
Mr. Bipin Ghosh.

...for the state

It is submitted by the learned Counsel appearing for the petitioner that notice has been served on the respondents.

None appears for the respondents despite service.

Mr. Dey who usually appears for the State and is present on the virtual mode is requested to represent the State in this matter alongwith a junior of his choice. The appointment of Mr. Dey and his learned junior be regularized by the learned legal remembrancer.

The petitioner should serve copy of the writ petition along with annexures thereto upon Mr. Dey in course of this day.

It is submitted on behalf of the petitioner that her husband was an employee with the 3rd respondent and retired from service on 19th July, 2009. No gratuity was paid to him after his superannuation. The petitioner's husband filed an application in Form I before the 3rd

respondent on 10th October, 2018 for payment of gratuity which was not heeded to. Subsequently, the petitioner's husband expired on 19th February, 2019 and the petitioner being his legal heir, filed an application before the 2nd respondent in Form 'N' on 30th November, 2018 praying for gratuity payable to the deceased employee which was registered as Gratuity Case No. G-08/19/DLC/HOW.

The said case yet to be disposed of by the authority.

The petitioner prays for a direction upon the authority to consider the said case at the earliest.

Having considered the submission made on behalf of the parties, the matter is disposed of directing the 2nd respondent to consider and dispose of the Gratuity Case being No. G-08/19/DLC/HOW pending before it within a period of four months from the date of communication of this order in accordance with law after giving reasonable opportunity of hearing to all the interested parties including the petitioner and private respondent.

With the above observations and directions this writ petition being WPA 20863 of 2021 is disposed of.

However, there shall be no order as to costs.

Since no affidavit has been invited, the allegations contained in the writ petition shall be deemed not to have been 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.)