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25.01.2022
Ct. No.10
d.g.

WPA 20870 of 2021

Tarapada Bailay
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 the petitioner was an employee with the 3rd respondent and retired from service on 1st January, 2016. No gratuity was paid to him after his superannuation. The petitioner filed an application in Form I before the 3rd respondent on

16th December, 2019 for payment of gratuity which was not heeded to. The petitioner subsequently filed an application in Form N before the 2nd respondent which was registered as Gratuity Case No. G-20/20/DLC/HOW.

The said case is 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 submissions made on behalf of the parties, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the Gratuity Case being No. G-20/20/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 20870 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.)