

January 27, 2022
ARDR
(46)

WPA 20889 of 2021

Dipali Chakraborty
Vs.
The State of West Bengal & Ors.

Mr. Uddipan Banerjee,
..for the petitioner.
Mr. Bipin Ghosh,
...for the respondent nos. 2 & 3.

Learned counsel for the petitioner submits that notice has been served upon all the respondents. The 1st and 2nd respondents are represented.

None appears for the 3rd respondent.

The grievance of the petitioner is non payment of gratuity. The petitioner is the widow of an employee who worked with the 3rd respondent and retired from service on 1st January, 2002. The employee expired on 22nd April, 2003 leaving behind the petitioner as his heir. The petitioner approached the 3rd respondent for payment of the gratuity amount due to her husband, but to no effect. The application in Form 'J' submitted by the petitioner before the 3rd respondent was also not heeded to. The petitioner subsequently filed an application before the 2nd respondent praying for payment of gratuity due to the deceased employee on 5th January, 2021 which was registered as Gratuity Case no. G-02/21/DLC/HOW. The said case is still pending before the authority. The petitioner prays for a

direction upon the concerned authority to dispose of the case at the earliest.

Upon consideration of 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 no. G-02/21/DLC/HOW 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.

WPA 20889 of 2021 is thus disposed of. However, there shall be no order as to costs.

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

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)