

January 27, 2022  
ARDR  
(49)

**WPA 20907 of 2021**

Sukumar Das  
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 1<sup>st</sup> and 2<sup>nd</sup> respondents are represented.

None appears for the 3<sup>rd</sup> respondent.

The grievance of the petitioner is non payment of gratuity. The petitioner was an employee under the 3<sup>rd</sup> respondent and retired from service on 1<sup>st</sup> July, 2018. The petitioner approached the 3<sup>rd</sup> respondent for payment of the gratuity amount due to him on several occasions and also submitted an application in Form 'I' before the authority on 22<sup>nd</sup> April, 2019, which was not considered. The petitioner subsequently filed an application in Form 'N' before the 2<sup>nd</sup> respondent on 4<sup>th</sup> June, 2019 which was registered as Gratuity Case no. G-61/19/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 2<sup>nd</sup> respondent to consider and dispose of the Gratuity Case no. G-61/19/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 20907 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.)**