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21.09.2022
(PP)
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 20633 of 2022

Ashim Kumar Biswas
Vs.
The Punjab National Bank & Ors.

Mr. Subhrajyoti Ghosh
.... For the petitioner.
Ms. Parna Roy Choudhury
... For the respondent/bank.

Affidavit of service filed in Court today be retained with the records.

In the present writ petition, the writ petitioner claims for disbursement of 40 days of privilege leave encashment benefit by the respondent no.1/Punjab National Bank (in short "PNB").

Mr. Ghosh, learned counsel, appearing on behalf of the writ petitioner submits that the writ petitioner's entitlement of 269 days of privilege leave encashment has already been calculated by the bank. Out of the said 269 days, the writ petitioner has already been paid privilege leave encashment benefits for 200 days. Pursuant to a bipartite settlement between the Indian Banks Association and the Workmen Unions, an employee was only entitled to claim a maximum of 240 days of privilege leave encashment benefits. Hence, the writ petitioner has prayed for 40 days of such privilege leave encashment benefits as is due and payable to him upon retirement. The writ petitioner superannuated from his service on February 28, 2022.

Ms. Roy Choudhury, learned counsel appearing on behalf of the respondent/PNB fairly submits that the entitlement of the writ petitioner shall be considered, and if found legally tenable, the benefit shall be handed over

to the ex-employee/writ petitioner.

Having considered the submissions and the materials placed on record, I direct the Circle Head, PNB, Krishnagar, Nadia/respondent no.3 to consider the representation of the writ petitioner upon giving personal hearing to him within 6 weeks from date and pass a reasoned order thereon. The reasoned order shall be communicated to the writ petitioner within one week of passing of the same.

Since no affidavits have been invited in the writ petition, let the allegations contained therein be deemed not to have been admitted by the parties.

With the direction aforesaid, the writ petition, being **WPA 20633 of 2022**, is **disposed of**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)