

123 30.11.2022
NB Ct. 21

WPA 22221 of 2022

Prakash Chandra Mandal
Vs.
The United Commercial Bank Ltd. & Ors.

Mr. Debdutta Raha,
M r. S. K. Das.
...for the petitioner.

Mr. Soumen Das,
Mr. Sourjya Roy.
...for the respondent/UCO Bank.

Mr. Raha, learned counsel appearing on behalf of the petitioner submits that despite being terminated from service, the petitioner has not received his terminal benefits. The petitioner worked as a Senior Manager with the respondent no.1/The United Commercial Bank (UCO Bank). The petitioner was terminated from service on January 15, 2013. The petitioner was superannuated from service on March 31, 2021, during the pendency of the appeal. The order of the Appellate authority was finally passed on May 3, 2021 after the date of his superannuation from service.

Mr. Das, learned counsel appearing on behalf of the UCO Bank submits that the only admissible dues of the petitioner was the employee's share of provident fund. Admittedly, the bank issued notice on December 21, 2020 asking the petitioner to make his claims regarding the terminal benefits. No claim was made contemporaneously.

Having heard the rival submissions of the parties and the materials placed on record, this Court finds several

representations were made by the petitioner from May 13, 2021 for disbursement of his terminal benefits. Finally, an advocate's letter was also issued on behalf of the petitioner to the General Manager, UCO Bank.

Since there is no dispute with regard to the admissible dues in respect of the employee's share of the provident fund, this Court directs such dues to be disbursed in favour of the petitioner within six weeks from date, in the event, necessary applications are made by the writ petitioner.

With the directions aforesaid, **WPA 22221 of 2022** is **disposed of.**

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained therein are deemed not to have been admitted by the parties.

All parties are directed to act on a server copy of this order, duly downloaded from the official website of this Hon'ble Court.

(Lapita Banerji, J.)