

WPA 22707 of 2007
IA No. 1/2016 (Old No. CAN 10590/2016)

Mita Sarkar & Ors.
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. Animesh Das
....for the petitioners

Mr. Alok Kr. Ghosh
Mr. S.K. Debnath
...for the KMC

This writ petition was preferred, *inter alia*, challenging in action on the part of the Kolkata Municipal Corporation authority in releasing provident fund and other dues payable to one Shyamalendu Sarkar since deceased who was dismissed from service vide order dated 30th April, 2002.

Having found that the dues payable to the petitioners who are daughter and wife of the said dismissed employee, being substituted on death of said Shyamalendu Sarkar, this Court directed the Kolkata Municipal Corporation authority to file a report in the form of affidavit stating the payments made to petitioners in the meantime.

Pursuant to the direction passed by this Court one affidavit has been filed on behalf of Kolkata Municipal Corporation affirmed on 4th November, 2022, wherefrom it appears that Rs. 1,18,913/- has been paid to the employee towards provident fund and under the head of group insurance Rs. 3,294/- was paid. It has been submitted on

behalf of the Kolkata Municipal Corporation that in view of such payments being made no further amount is due and payable to the petitioners excepting Rs. 28,494/- which is also lying in the provident fund account of the deceased employee towards arrear salary.

Concerned authority of Kolkata Municipal Corporation is directed to release Rs. 28,494/- to the petitioners within fortnight from this date on completion of necessary formalities.

Accordingly, the writ petition stands disposed of.

However, there shall be no order as to costs.

Application, if any pending, also stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)