

04.01.2022
Srimanta
Ct. No. – 02
Sl. No. 16

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction
(Via Video Conference)**

W.P.A. 1754 of 2021

**Ashoke Kumar Dey @ Ashoke Dey
-versus
The State of West Bengal & Ors.**

Mr. Milindo Paul, Adv.,
Mr. Nabankur Paul, Adv.,
Ms. Bedashruti Bose, Adv.

...For the Petitioner.

Mr. Subir Kumar Saha, Adv.,
Mr. Momenur Rahman, Adv.

...For the State.

By an order dated 3rd December, 2021 a Coordinate Bench of this Court directed the Certificate Officer to expeditiously conclude the certificate proceedings without granting any unnecessary adjournment to any of the parties. A report is submitted by the Certificate Officer wherefrom it is ascertained that majority portion of the gratuity amount and with interest was disbursed to the petitioner but a small portion of interest on gratuity could not be paid to the petitioner due to non-availability of monetary sanction and fund from the Finance Department.

It is submitted by the learned Government Pleader that as soon as the fund is available, the balance amount will be paid to the petitioner.

In view of such undertaking, respondent no. 2, the Principal Secretary, Animal Resources Development Department, Government of West Bengal is directed to allot requisite fund for disbursement of interest on gratuity to the petitioner and on receipt of such fund the respondent no. 3, Joint Labour Commissioner shall intimate the fact to the Certificate Officer, respondent no. 4 and on such intimation the respondent no. 4 shall dispose of the certificate proceeding.

The entire exercise on the part of the State respondents shall be completed within three months from the date of communication of this order.

(Bibek Chaudhuri, J.)