

07
28.02.2022
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**W.P.A 2569 of 2021
(Via Video Conference)**

**Sukumar Das
-versus
State of West Bengal & Ors.**

**Mr. Avijit Sinha,
Mr. Prosenjit Sarkar.
...For the Petitioner.**

**Mr. Bikramaditya Ghosh,
Mr. Pretom Das.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner is a retired employee of Himalayan Cooperative Milk Producers Union Limited. His grievance is that terminal benefits have not been released in his favour till date.

The petitioner through his learned advocate submitted a notice demanding justice before the respondent authority in January, 2021 and alleges that the same has not been considered till date.

Learned advocate for the respondents is not ready with instructions, at this stage.

As it appears that the representation filed on behalf of the petitioner is pending consideration at the end of the respondent authority, accordingly, no useful

purpose will be served by keeping the writ petition pending.

The writ petition is, accordingly, disposed of by directing the respondent no. 3, Additional District Magistrate (General), Darjeeling and Chief Executive Officer, The Himalayan Cooperative Milk Producers Union Limited to consider the representation filed on behalf of the petitioner in January, 2021 strictly in accordance with law, at the earliest but positively within a period of ten weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the said respondent at the time of consideration of the representation.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)