

17.01.2023
Court No. 19
Item No. 6
CP

WPA No. 331 of 2023

Amal Kumar Bhunia
Vs.
The State of West Bengal & Ors.

Mr. Nirmalya Biswas
....for the petitioner.

Mr. Bhaskar Chakraborty
...for the State.

The petitioner claims that pensionary and other retirement benefits should be released by taking into consideration his service as a Grade-II employee under the Debra Project which was a wing of the West Bengal Comprehensive Area Development Corporation.

According to the petitioner, as the certificates submitted by him with regard to his age and educational qualification were found to be fake, he was demoted to Grade – II/village organizer. Thus, his service benefits as a Grade – II employee under the Debra Project which was a wing of the West Bengal Comprehensive Area Development Corporation should be released in accordance with law.

The documents with regard to the petitioner's employment as a Group-II employee had been

allegedly accepted by the authority and the authority allowed the petitioner to continue in such capacity.

It appears that the petitioner has already filed a letter demanding justice through his learned Advocate, before the Administrative Secretary, West Bengal Comprehensive Area Development Corporation, which is Annexure P-9 at page 27 of the writ petition. The same must be disposed of in accordance with law by the Administrative Secretary W.B.C.A.D.C. and the authority shall come to a finding as to whether any pensionary benefit or other retirement benefits would be available to the petitioner as Grade-II employee of the Debra Project.

The petitioner shall be heard. If the petitioner is found eligible, in that event, steps shall be taken to release the pensionary and other retirement benefits in favour of the petitioner.

Such decision shall be arrived at within a period of four weeks from the date of communication of this order and communicated to the petitioner.

This court has not gone into the merits of the claim of the petitioner.

The writ petition is disposed of accordingly.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)