

Court No. 22

21.9.2023

(Item No. ML-
121)

(AB)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

WPA 921 of 2016

Arun Kumar Ghosh

v.

The State of West Bengal & Ors.

Mr. Sayed Mansur Ali

..... for the petitioner

Mr. Sayed Mansur Ali, learned counsel
appears for the petitioner.

None appears for the respondents.

Referring to **Annexure P-3** at **page 25** to the writ petition which is a representation of the petitioner dated **March 2, 2015** submitted before the respondent No. 3, learned counsel for the petitioner submits that, the same has not yet received any attention of the State authority. The claim of the petitioner was for releasing the admissible retiral benefits.

Considering the above and considering the age of the writ petition, this Court is of the view that, no fruitful purpose would be served by keeping the writ petition pending any further.

To sub-serve justice, the respondent No. 3 upon issuing a prior hearing notice of at least seven days to the petitioner and the respondent No. 5 and after affording an opportunity of hearing to them, shall dispose of the representation dated **March 2,**

2015, Annexure P-3 at **page 25** to the writ petition by passing a reasoned order.

The entire exercise as directed above shall be carried out and completed by the respondent No. 3 positively within a period of **six weeks** from the date of communication of this order. The respondent No. 3 then shall communicate its reasoned order to the petitioner and the respondent No. 5 within a further period of **two weeks** from the date of the reasoned order to be passed.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner in any manner and both the petitioner and the respondent No. 5 shall be free to urge whatever points they wish to urge by relying upon whatever documents and materials they wish to rely upon before the respondent No. 3.

It is made clear that, this order shall not create any equity or right in favour of the petitioner, if the petitioner is not eligible to receive his claim strictly in accordance with law.

In the event, the reasoned order goes in favour of the petitioner, the respondent No. 3 shall take all necessary and consequential steps in accordance with law to give effect to the said reasoned order forthwith.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

On the above terms, this writ petition being **WPA 921 of 2016** stands disposed of.

There shall, however, be no order as to costs.

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

(Aniruddha Roy, J.)