

20.7.2023

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WPA 3414 of 2023

Keya Mukherjee

Vs.

The State of West Bengal & Ors.

Mr. Tapas Bhattacharya

Mr. Aviroop Bhattacharya

... For the petitioner.

Ms. Rupsha Chakraborty

... For the State.

Let the affidavit-of-service filed by the petitioner be kept with the records.

Despite service of notice upon the college pursuant to the order dated July 13, 2023, the college is not represented even today.

It is the grievance of the petitioner that though the Director of Public Instruction sanctioned an amount of Rs. 5,00,000/- (Rupees five lakhs) towards the gratuity of the petitioner, who retired as a Part-time teacher at Kashipore Michael Madhusudan Mahavidalaya on January 31, 2020, the college has not taken any step so far to release the gratuity amount in his favour.

Annexure 'P-4' at page 17 of the writ petition suggests that the Director of Public Instruction by a letter dated October 04, 2022 issued a sanctioned order to the college. The same is quoted below:

"Sanction is hereby accorded to the payment in favour of Smt. Keya Mukherjee,

Retired SACT of Kashipore Michael Madhusudan Mahavidalaya one time Gratuity of Rs. 5,00,000/- (Rupees five lakhs) only in terms of G.O. No. 105-FB dated 23/06/2021. The retiring gratuity under the above mentioned scheme will be debited to the head 010-Payment of Gratuity to State Aided College Teachers (SACT) of stated aided non government colleges with detailed head '04-Pension/Gratuties' subordinate to '2071-Pension and other Retirement benefits-01-civil-104-Gratuties-00 administrative expenditures-010 payment of gratuity to state aided college teachers (SACT) of state aided non-government colleges/government colleges pertaining to Demand no. 18 vide FD memo no. 552-F.B. dated 11/05/2014.

The Principal/Teacher-in-Charge of the college will draw the Gratuity amount of Rs. Rs. 5,00,000/- (Rupees five lakhs) only from the concerned Treasury or Pay and Accounts Office and disburse the same to the incumbent subject to his/her proper identification.

It is certified that the engagement of Keya Mukherjee, as SACT is not less than 10 years."

In view of the sanctioned order dated October 04, 2022, the college is directed to take necessary steps to release the gratuity amount of the petitioner within a period of one month from the date of communication of this order.

Accordingly, **WPA 3414 of 2023** is disposed of.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)