

247 17.01.
Ct 2023
550
rup

W.P.A. 3521 of 2010
CAN 1 of 2010 (Old No. CAN 5491 of 2010)

Sri Indrajit Dubey
Versus
The Chief Security Commissioner & Ors

Mr. Jahar Lal Roy,
Mr. S. K. Kundu

... For the petitioner.

Mr. Kushi Prasun Chatterjee. .. for the respondents.

Mr. Jahar Lal Roy, representing the petitioner after arguing the matter for sometime submits on instruction that his client does not want to challenge either the disciplinary proceeding initiated by the respondents or the final order passed by the Disciplinary Authority, *inter alia*, including the order passed by the Appellate Authority any further.

By drawing attention of this court, to a letter dated 22nd December, 2009, which is at page number 59 of the writ application, Mr. Roy submits that the respondents had by such letter offered to settled the dues payable to the petitioner. He says that by reasons of pendency of present proceedings, the petitioner did not collect the said dues. He says the Hon'ble court may be pleased to direct the respondents to settle the dues of the petitioner, in terms of the letter dated 22nd December, 2009.

Mr. Kushi Prasun Chatterjee, learned advocate representing the respondent authorities submits that the respondents at all materials times were and are ready and willing to disburse the admitted dues in favour of the petitioner. It is the petitioner who has not collected the same from the respondents.

Having regard to the submission made by the learned advocates appearing for the respective parties, I am of the view since the petitioner no longer questions the disciplinary proceedings or the order passed by the Appellate Authority, the respondents should be directed to make payment of the admissible dues payable to the petitioner in terms of communication dated 22nd December, 2009, after adjusting payments made if any. Since the matter pertains to the year 2010 the respondents are directed to take expeditious steps to settle and disburse the terminal benefits payable to the petitioner, preferably within six weeks from the date of communication of this order.

Since nothing survives in the aforesaid application, let the same be disposed of.

The connection application being IA No CAN 1 of 2010 (Old No. CAN 5491 of 2010) is an application for amendment of the writ application. In view of disposal of the writ application nothing survives in the connected application. Let the same be dismissed.

There shall be no order as to cost.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all formalities, on priority basis.

(Raja Basu Chowdhury,

J)