

Item No. 14

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

18.05.2023
Ct-24

WPA 6384 of 2022
Md. Naziruddin

v.

The State of West Bengal & Ors.

Mr. Sarbananda Sanyal
... for the petitioner.

Mr. Rwitendra Banerjee
Mr. Shibasis Chatterjee
... for the respondent no. 3.

Ms. Lalita Das Nandi, the Chairman Murshidabad Municipality is personally present in Court today. Apology has been sought for delayed disbursal of the terminal dues of the petitioner.

A cheque signed by the Finance Officer and Executive Officer of the Municipality dated May 17, 2023 in favour of the petitioner for a sum of Rs. 3,679,26/- has been handed over to the learned advocate representing the petitioner in Court today.

The cheque is drawn on the ICICI Bank, Murshidabad Branch. The figure mentioned in the cheque is the amount on account of gratuity and arrear pension. The petitioner shall be entitled to present the cheque in the bank and utilize the money for his own purpose.

The learned advocate for the petitioner shall calculate and intimate the learned advocate representing the Municipality as to whether there is any further due that is payable in favour of the petitioner. As the

terminal benefits have been ultimately released in favour of the petitioner after a decade, the Municipality will be bound to pay interest on account of such delayed payment.

Let interest on the amount due and payable to the petitioner be fixed at 7% per annum to be paid on and from the due date till the date of actual payment. The interest amount shall be disbursed in favour of the petitioner at the earliest but positively by September 30, 2023. It will be open for the Municipality to clear the amount due by way of installments within the time as specified in the order.

If it appears that any further amount is due and payable to the petitioner over and above the amount that has been already paid by way of the cheque, then the same shall also be cleared within the time as specified hereinabove.

The personal appearance of the Chairman stands dispensed with.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

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(Amrita Sinha, J.)