

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 14504 of 2023

**Pradip Kumar Chakraborty
-versus
The State of West Bengal & Ors.**

**Md. Sarwar Jahan,
Mr. Partha Banerjee,
Mr. Kaustav Roy.
... For the petitioner.**

**Mr. Sounak Bhattacharya.
...For Asansol Municipal Corpn.**

The petitioner is a retired employee of the Asansol Municipal Corporation. He was initially appointed under the Dishergarh Notified Area which subsequently merged with the Kulti Municipality. After the merger of Kulti Municipality with the Asansol Municipal Corporation, the petitioner became an employee of the Corporation and retired from service in the year 2021.

His grievance is that he has not been paid his terminal dues.

Prayer has been made before the Principal Secretary, Department of Urban Development and Municipal Affairs with request for disbursal of his retirement benefits. The same has not been considered till date.

None represents the State respondents.

As it appears that the petitioner has retired nearly two years back it is the bounden duty of the employer to release his terminal benefit without any further delay. The employer ought not to withhold the

terminal benefit of a retired employee without a valid reason.

The representation filed by the petitioner seeking disbursal of his terminal benefit is pending consideration.

In view of the above, the instant writ petition is disposed of by directing the Principal Secretary, Department of Urban Development and Municipal Affairs to take steps for disbursal of the terminal benefit of the petitioner upon consideration of his representation filed on 27th February, 2023.

Be it recorded that the initial service of the petitioner in the post of Cashier was duly approved but his promotion to the post of Accounts Officer by the Kulti Municipality is pending approval.

Steps shall be taken to disburse the amount at the earliest, but positively within a period of four months from the date of communication of this order. The aforesaid respondent is, however, directed to pay provisional pension to the petitioner within a period of four weeks from the date of communication of this order.

Learned advocate for the petitioner is directed to forward a copy of the representation dated 27th February, 2023 along with all documents in support of his claim to the aforesaid respondent at the time of communicating the order of the Court.

Affidavit of service filed in Court today is taken on record.

If required, the Principal Secretary may seek for necessary documents from the Asansol Municipal Corporation and the Corporation shall be obliged to forward all documents to the Principal Secretary, if sought for, on urgent basis.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)