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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 16074 of 2023

Habiban Nesa & Anr.
Vs.
State of West Bengal & Ors.

Mr. Uday Sankar Chattopadhyay,
Mr. Suman Sankar Chatterjee,
Ms. T. Rakshit
...for the petitioners

Mr. Sk. Md. Galib,
Ms. Tanwishree Mukherjee
...for the State

The petitioners are the widow and son of the deceased Additional Public Prosecutor, who rendered his service duly in the Alipore District and Sessions Judge's Court, South 24-Pargans.

Upon an application being made by the petitioners under the Right to Information Act, 2005, it was intimated by the respondent-authorities that an amount of Rs.24,700/- up to July, 2011 as well as an amount of Rs. 4,23,150/- were due to the petitioner No. 1's deceased husband by virtue of such service. However, despite application, the same was not disbursed in favour the petitioners.

Learned counsel appearing for the State submits that the Additional District Magistrate (G), South 24-Parganas has already written to the Legal

Remembrancer for disbursal of such amount and as and when such amount is disbursed, the same will be paid to the petitioners.

Since the State has not disputed the amount, W.P.A. No. 16074 of 2023 is allowed, thereby directing the respondent-authorities to immediately disburse the dues of the deceased, Md. Abdur Roup, for services rendered by him as Additional Public Prosecutor in Alipore, South 24-Parganas during his lifetime, as expeditiously as possible, positively within a month from date, to the petitioners.

The Legal Remembrancer shall disburse the due amount within a fortnight from date to the concerned authorities, for the amount to be paid to the petitioners.

The parties shall act on a server copy of this order, without insisting upon prior production of a certified copy thereof.

There will be no order as to costs.

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

(Sabyasachi Bhattacharyya, J.)