

5th September,
2023
(AK)
05

W.P.A 17219 of 2023

Smt. Momtaj Begum
Vs.
The State of West Bengal and others

Mr. Rafikul Islam Sardar
...for the petitioner.

Mr. Avishek Prasad
...for the State.

Ms. Swapnalekha Auddy
Mr. Surajit Auddy
...for the respondent nos. 2, 3 & 4.

Mr. Suman Basu
...for the respondent no.6.

1. The pensionary dues have been disbursed by the Bank to the petitioner. A document in that regard is handed over in court today and is kept on record.
2. Learned counsel for the petitioner submits that the petitioner had to wait for quite a long time and as such interest may also be granted on the amount.
3. Upon hearing learned counsel appearing for the disbursing authority/Bank as well as respondent no.6, it cannot be ascertained without a fact-finding enquiry as to who was liable for the delay occasioned.
4. Be that as it may, since the petitioner's prayer has been substantially satisfied, there is no need to keep the writ petition pending.

5. In any event, such fact-finding enquiry to fix liability being not possible by the writ court, the question of interest is not being gone into.

6. WPA 17219 of 2023 is disposed of as infructuous in view of the payment of the pensionary dues having already been made to the petitioner.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)