

21.08.2023
SL No.10-12
Court No.8
(gc)

MAT 1287 of 2012
CAN 1 of 2013 (Old No: CAN 2825 of 2013)
CAN 2 of 2013 (Old No: CAN 2864 of 2013)

The State of West Bengal & Ors.

Vs.

Sunil Kumar Roy & Ors.

With

MAT 1288 of 2012
CAN 1 of 2013 (Old No: CAN 2824 of 2013)
CAN 2 of 2013 (Old No: CAN 2860 of 2013)

The State of West Bengal & Ors.

Vs.

Narayan Chandra Bhattacharya & Ors.

With

MAT 1289 of 2012
CAN 1 of 2013 (Old No: CAN 2827 of 2013)
CAN 2 of 2013 (Old No: CAN 2861 of 2013)

The State of West Bengal & Ors.

Vs.

Radhashyam Chakraborty & Ors.

Mr. Rezaul Hossain,
...for the State/Appellants.

Re: CAN 1 of 2013
(Old No: CAN 2825 of 2013)

In

MAT 1287 of 2012

With

Re: CAN 1 of 2013
(Old No: CAN 2824 of 2013)

In

MAT 1288 of 2012

With

Re: CAN 1 of 2013
(Old No: CAN 2827 of 2013)

In

MAT 1289 of 2012

1. Sufficient cause being shown for not being able to prefer the appeals within the period of limitation. The delay of 144 days in preferring the memorandum of appeals is condoned.
2. Accordingly, the applications for condonation of delay are allowed and disposed of.

**Re: MAT 1287 of 2012
CAN 2 of 2013
(Old No: CAN 2864 of 2013)**

With

**MAT 1288 of 2012
CAN 2 of 2013
(Old No: CAN 2860 of 2013)**

With

**MAT 1289 of 2012
CAN 2 of 2013
(Old No: CAN 2861 of 2013)**

3. The learned Counsel for the State submits that the order dated 9th February, 2012 passed by the learned Single Judge has been complied with and that the writ petitioners have received payment of interest on delayed payment of gratuity amounting to Rs.25366/- vide Cheque No.123418 dated 18th June, 2012, Rs.18618/- vide Cheque No.123417 dated 18th June, 2012 and Rs.16068/- vide

Cheque No.126671 dated 28th September, 2012.

4. The learned Counsel for the State has also submitted that in view of compliance of the order dated 9th February, 2012, the payment of cost may be waived.
5. Considering the fact that the order dated 9th February, 2012 has now been complied with, the payment of cost is set aside.
6. The appeals succeed in part.
7. The communication dated 9th August, 2023 from the Treasury Officer, Kalna Treasury, Kalna, Purba Bardhaman to the Assistant Director, Pension, Provident Fund & Group Insurance, Government of West Bengal (Finance Department) is taken on record.
8. Accordingly, the appeals and the applications are disposed of.
9. However, there shall be no order as to costs.
10. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)