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18.10.2023
A.G.M.

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

W.P.A. 22774 of 2023

**Smt. Padma Ghosh
-versus
The Baidyabati Municipality & Ors.**

**Mr. Partha Sarkar,
Mr. Abhijit Basu.
...For the Petitioner.**

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

None represents the Municipality.

The petitioner is a retired employee of the Baidyabati Municipality. She was initially appointed in service on 06.10.1993 and was paid as per as scale of Nurse on and from February 2000. She attained her age of superannuation on 31st January, 2020.

The petitioner alleges that after her retirement the Municipality has not paid her retiral dues. The petitioner made several representations requesting disbursement of terminal dues but none of the representations have been answered by the authority.

She prays for direction upon the Municipality for releasing her terminal dues.

Reliance has been placed on the order issued by the department of Urban Development and Municipal Affairs dated 6th February, 2023 being No. 110/UDMA-25011(11)/109/2022-LSG SEC and submits that the petitioner may be given the benefit of the said order.

As it appears that the municipality has enjoyed the service of the petitioner for a considerable period of time it is the bounden duty of the municipality to pay the terminal benefits of the petitioner, as permissible in law, without any further delay.

In view of the above, the municipality is directed to take necessary steps to forward the service documents of the petitioner to the Director of Pension, Provident Fund & Group Insurance for doing the needful for disbursing the terminal benefits of the petitioner.

The municipality shall positively forward all documents of the petitioner to the aforesaid respondent within a period of six months from the date of communication of this order.

The respondent no. 4 shall seek approval from the respective department for further processing of the pension file of the petitioner.

The respondent no. 4 as well as the municipality shall ensure that the prayer of the petitioner seeking terminal benefits is disposed of positively within a period of three months from the date of forwarding all documents by the municipality.

The writ petition stands disposed of.

The notice of the learned advocate showing service upon the Municipality be retained with the records.

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

(Amrita Sinha, J.)