

25.01.2023
Item No.7
Court No.550
Saswata

W.P.A. 27155 of 2022

Subir Kumar Mitra & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Bikash Shaw

...For the petitioners

Mr. Pinaki Dhole

Ms. Ananya Neogi

...For the State

Mr. Apurba Kumar Ghosh

Mr. Rudranil Ghosh

Mr. Dhole, learned advocate representing the State submits that already steps have been taken by the controlling authority for disposal of the proceedings filed at the instance of the petitioners. He says that notice in Form-‘O’ has been issued and the same has been served on the respondent no. 3. He further submits that the next date of hearing is fixed on 31st January 2023.

Mr. Ghosh, learned advocate appearing for the respondent no. 3 confirms receipt of notice in Form-‘O’. A copy of such notice dated 10th January 2023 as made over by Mr. Ghosh be retained with the records.

I find that the petitioners have prayed for a direction upon the respondent no. 2 to forthwith dispose of the gratuity case arising due to non-payment of gratuity amount by the respondent no. 3. Since, the respondent no. 2 has already taken steps in the matter, I am of the view that no fruitful purpose shall be served by keeping the writ application pending.

In view thereof, the writ application being WPA 27155 of 2022 is **disposed of** with a direction upon the respondent no. 2 to expeditiously hear out and dispose of

the application filed by the petitioners in Form-‘N’ preferably within a period of 6 months from date upon giving opportunity of hearing to both the parties.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis upon completion of requisite formalities.

(*Raja Basu Chowdhury, J.*)