

09 19.06.2023
rkd Ct.15

W.P.A. 28551 of 2017

Goutam Bhwomik

-vs-

The State of West Bengal & Ors.

Mr. Uday Sankar Chattopadhyay,
Mr. Santanu Maji,
Ms. Snigdha Saha

....for the petitioner.

Mr. Sounak Bhattacharya

....for the Asansol Municipal Corporation.

Ms. Roma Haldar

....for the State.

The writ petition is taken up for consideration in presence of the learned advocates representing the petitioner, Asansol Municipal Corporation and State respondents.

During course of hearing the learned advocates representing the petitioner and the corporation have drawn attention of this Court to the order passed by this Court on 27th April, 2023 passed in **WPA 8604 of 2015 (Asit Ranjan Chatterjee –vs- The State of West Bengal & Ors.)**. The learned advocates have also submitted before this Court that on similar facts aforesaid order was passed by this Court on 27th April, 2023.

In view of the submissions made on behalf of the parties and in consideration of the order passed by this Court on 27th April, 2023 in **Asit Ranjan Chatterjee (supra)** this court need not

pass separate order.

Accordingly the directions contained in the order dated 27th April, 2023 is passed in the present writ petition directing the Director of Local Bodies, Government of West Bengal being the respondent no.2 to take decision on the right of the petitioner to enjoy pensionary benefits keeping in view of the fact that petitioner rendered service on substantive basis and on enjoying regular scale of pay from 1st June, 1989 till 29th February, 2016 by passing a reasoned order within a period of twelve weeks (12) from the date of communication of this order after granting opportunity of hearing to the petitioner or his representative and the representative of Asansol Municipal Corporation.

Asansol Municipal Corporation is also directed to produce relevant records relating to service of the petitioner before the respondent no.2 in order to facilitate the respondent no.2 to take decision on the right of the petitioner to receive pensionary benefits, if necessary, upon granting post facto approval.

Let the order dated 27th April, 2023 passed in **Asit Ranjan Chatterjee (supra)** duly countersigned by the Assistant Registrar (Court) be retained on record.

The writ petitioner stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings

(Saugata Bhattacharyya, J.)