

09.08.2023  
A.P.  
Item No.20

**Calcutta High Court  
In The Circuit Bench at Jalpaiguri  
Constitutional Writ Jurisdiction**

**WPA No. 506 of 2023  
Dr. Arun Kumar Saha  
Vs.  
The State of West Bengal & Ors.**

Ms. Suman Sehanabis (Mondal)  
Mr. Salok Sah

...for the Petitioner

Mr. Subir Kumar Saha  
Ms. Bedashruiti Bose

... for the State

Mr. Amales Roy  
Mr. Deborshi Dhar

... for the University

Heard learned counsel for the parties.

The petitioner is a former Professor in Soil Science and Agricultural-Chemical of Uttar Banga Krishi Viswa Vidyalaya and superannuated on 31<sup>st</sup> October, 2013. He was re-employed from 2008 to 2011 in the first phase and thereafter from 1<sup>st</sup> November, 2011 to 31<sup>st</sup> October, 2013. Though the petitioner's re-employment in the second phase has been approved by a letter issued by the Joint Secretary to the Government of West Bengal to the Vice-Chancellor, Uttar Banga Krishi Viswa Vidyalaya on 28<sup>th</sup> May,

2014, the first phase of re-employment has not been approved.

It is submitted on behalf of the respondent nos. 4 to 5 that the first phase of re-employment of the petitioner for the period 2008 to 2011 has been approved by the authority and the petitioner is entitled to a difference in the gratuity and leave encashment. Learned counsel further submits that there is an overdrawal on the part of the petitioner which also need to be considered. Learned counsel submits that the matter be referred to the 5<sup>th</sup> respondent who shall deal with the issue and take necessary steps for payment of all retiral benefits due to the petitioner within a stipulated time frame.

In view of the above, the writ petition is disposed of directing the 5<sup>th</sup> respondent to deal with the issue of payment of all retiral benefits to which the petitioner is entitled upon affording reasonable opportunity of hearing to the petitioner, within two weeks from the date of communication of this order.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

Necessary consequential steps be taken by the authority within a week thereafter.

With the above observations and directions the writ petition being W.P.A. 506 of 2023 is disposed of.

There shall however be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

**(Suvra Ghosh,J)**