

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

W.P.A. 1514 of 2023

Promod Chandra Barman

vs.

State of West Bengal & Ors.

Ms. Suman Snehanabis (Mandal)

Salok Sah

... For the Petitioner

Mr. Subir Kr. Saha

Momenur Rahaman

... For the State

Affidavit of service filed on behalf the petitioner
is taken on record.

The petitioner was appointed as a clerk cum typist in the office of the Dinhata II Panchayat Samiti in the year 1990 and was brought to the regular establishment in the same year. The petitioner was transferred to Tufanganj I Panchayat Samiti on 18th July, 2014 but his service book and provident fund documents were not sent by the Dinhata II Panchayat Samiti to his subsequent place of posting at Tufanganj I. Several communications made by Tufanganj I Panchayat Samiti as well as the petitioner in this regard were not heeded to by the Dinhata II Panchayat Samiti. The petitioner superannuated on December 31, 2022. The original service book along with relevant documents were sent to Tufanganj I Panchayat Samiti and sent back to the Executive Officer, Dinhata II Panchayat Samiti for

rectification of the increment of the petitioner with effect from 1st February, 2007 to 1st July, 2013. Despite requests made by the Executive Officer, Tufanganj I the service book along with relevant documents have not been sent back to the Tufanganj I Panchayat Samiti by the Executive Officer, Dinhata II Panchayat Samiti for which the petitioner is being deprived of his pension and other retiral benefits. The petitioner seeks a direction upon the Executive Officer, Dinhata II Panchayat Samiti, being the 5th respondent herein to take necessary steps for sending his service book along with other relevant documents to the Executive Officer, Tufanganj I Panchayat Samiti at the earliest.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that it is most unfortunate that a responsible authority like the Executive Officer, Dinhata II Panchayat Samiti has not cared to send back the service book along with other relevant documents of the petitioner to the Executive Officer, Tufanganj I Panchayat Samiti, resulting in deprivation of the petitioner of his legitimate dues after his superannuation.

In view of the above, the writ petition is disposed of directing the 5th respondent to send back the original service book along with relevant documents

of the petitioner after causing necessary rectification therein to the Executive Officer, Tufanganj I Panchayat Samaiti being the 6th respondent herein within two weeks from the date of communication of this order.

It is expected that the 6th respondent shall make all endeavours for release of pension and other retiral benefits in favour of the petitioner within one month from the date of receipt of the service book and other relevant documents.

The writ petition is thus disposed of.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

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

(Suvra Ghosh, J)