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M/L
315

03.04.
2024
Ct. No.24

WPA 3066 of 2023

**Bijoy Hari
Vs
The State of W. B. & Ors.**

**Ms. Papiya Chattopadhyay
.....For the Petitioner
Mr. Swapan Kr. Pal
....For the State**

The wife of the petitioner was an employee of Krishnagar Municipality. She died in harness on 20th February, 2019. Pension payment order was issued on 8th November, 2019 and the revised pension payment order was issued on 2nd September, 2021.

Learned advocate for the petitioner submits that the amounts mentioned in the pension payment order have not been disbursed in favour of the petitioner. A sum of Rs.6,92,734/- is due and payable to the petitioner.

A representation has been made by the petitioner which is pending consideration at the end of the Municipality for a considerable period of time.

None represents the Municipality.

Affidavit of service filed in court is taken on record.

In absence of the Municipality it is not possible for the court to decide the issue conclusively.

In view of the above, the instant writ petition is disposed of by directing the Chairman of the Krishnagar Municipality to take into consideration the representation filed by the petitioner on 16th of January, 2023 in accordance with law and release the dues of the petitioner at the earliest but positively by 31st of July, 2024.

As the petitioner was entitled to receive the amount long ago, accordingly, the petitioner shall be entitled to receive the said amount along with interest calculated @ 7% per annum to be paid on and from the due date till the date of actual payment.

Learned advocate for the petitioner is directed to forward a copy of the representation dated 16th January, 2023 along with the Pension Payment Orders to the Chairman of the Municipality at the time of communicating the order of the court.

Writ petition is disposed of.

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

(Amrita Sinha, J.)

