

02.05.2024
Sl. No.2
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8213 of 2024

Sujit Kumar Ghosh & Ors.
Vs.
State of West Bengal & Ors.

Mr. Pinaki Ranjan Chakrabarti
....for the petitioners.

Mr. Susovan Sengupta,
Mr. Subir Pal
....for the State.

Mr. D. N. Ray,
Mr. Biswarup Nandy,
Mr. Sourav Halder
.....for the respondent nos.4 to 7.

Pursuant to the order dated 29th April, 2024, the learned advocate representing the petitioner have taken instructions.

It is submitted by the learned advocate for the petitioners that the issue as to interest payable on the principal sum of the gratuity amount to the petitioner is pending before the respondent no.3, being the Certificate Officer, before whom the certificate issued in terms of the order of the Controlling Authority has been put into execution.

In the aforesaid facts and circumstances, considering that the parties are willing to have the issue as to interest adjudicated and resolved before the respondent no.3, which is the only pending issue in this writ petition, the writ petition is disposed of by

directing the respondent no.3 to dispose of the proceedings pending before him within a period of 4 months from the date of communication of a server copy of this order without insisting upon production of a certified copy thereof. The respondent no.3 shall clearly and specifically compute the interest payable, if any, to the petitioners in accordance with the Payment of Gratuity Act, 1972 while passing his order.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Arindam Mukherjee, J.)