

Item No.322

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

03.04.2024
Ct-24

WPA 15385 of 2023

Samir Kumar Kundu

v.

The State of West Bengal & Ors.

Mr. Tulsidas Maity

Mr. Snehasish Bala

... for the petitioner.

Mr. Soumyajit Bhatta

... for the Panihati Municipality.

The petitioner is a retired employee of Panihati Municipality. Allegation is that his terminal benefits have not been disbursed till date.

Learned advocate representing the Municipality submits, upon instruction that, all documents in support of the dues of the petitioner have been forwarded to the Director of Local Bodies in due time but there is no response from the end of the Director of Local Bodies till date.

None represents the Director of Local Bodies.

It appears that the petitioner retired from service on May 31, 2021 but till date has not received his terminal dues. It is the duty of the employer to ensure that the employee is paid retirement benefits immediately after retirement. Nearly three years will be complete but neither the Municipality nor the Director of Local Bodies has taken any step to redress the grievance of the petitioner.

In view of the above, the Executive Officer of the Municipality is directed to follow up the matter with the Director of Local Bodies to obtain all necessary approval(s), if required, and thereafter take steps for disbursal of the terminal dues of the petitioner.

The Director of Local Bodies is directed to promptly respond to the approach of the Municipality and ensure that the retired employee receives his dues within the time limit as specified hereinabove.

Steps shall be taken in the matter at the earliest but positively within a period of four months from the date of communication of this order.

The writ petition stands disposed of.

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

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(Amrita Sinha, J.)