

W.P.A. 22535 of 2024

**Dilip Kumar Bera
Vs.
The State of West Bengal & Ors.**

Mr. Bapin Baidya
....for the petitioner

Mr. Priyankar Saha
Mr. Indrajit Ghosh
...for the State

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

Petitioner has claimed re-fixation of his pay based on Managing Committee resolution dated 19th September, 2018 which is at page 15 of the writ petition. It has been submitted on behalf of the petitioner that he retired on superannuation on 30th November, 2017. After retirement pension case of the petitioner was settled and petitioner is in receipt of retiral dues.

On consideration of facts it appears that petitioner after superannuation on 30th November, 2017 filed this writ petition on 5th September, 2024, precisely after seven years of his retirement. Accepting his last pay on 30th November, 2017 pension case of the petitioner was settled and petitioner received retiral dues including monthly pension without any demur. After a period of seven years from the date of retirement the present writ petition is instituted seeking consolidation of pay with

effect from 2008 as it emanates from Managing Committee resolution dated 19th September, 2018. If petitioner was dissatisfied with regard to his pay fixation with effect from 2008 he had ample opportunity to approach the State authorities within the reasonable time. Petitioner choose not to raise any dispute. After seven years from the date of his retirement this Court finds that the claim of the petitioner is stale. No relief can be granted to the petitioner.

Hence, the writ petition stands dismissed.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)