

30.04.2024
SL No.165
Court No.1
(gc)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**MAT 127 of 2023
CAN 1 of 2023
CAN 2 of 2023**

**Moumita Barman & Anr.
Vs.
Uttarbanga Kshetriya Gramin Bank & Ors.**

Mr. Jagriti Mishra,
Ms. Ananya Bhattacharya,
Mr. Raj Kumar Mitra,
Ms. Mrinmayee Das
...for the Appellants.
Mr. Chitra Bhanu Gupta,
Ms. Supriya Singh
...for the Respondents.

Re: CAN 1 of 2023

1. There is a delay of 7 days in filing the memorandum of appeal.
2. Sufficient cause being shown for not being able to file the memorandum of appeal within the period of limitation.
3. The delay of 7 days in filing the memorandum of appeal is condoned.
4. Accordingly, the application for condonation of delay is allowed and disposed of.

**Re: MAT 127 of 2023
With
CAN 2 of 2023**

5. It is submitted on behalf of the appellants that the writ petitioners did not claim

commutation of pension and it was directed inaction on the part of the authority concerned in releasing the gratuity.

6. In view thereof, the order dated 4th July, 2023 in respect of WPA 1337 of 2023 is set aside and the matter is required to be heard afresh by the learned Single Judge having the determination.
7. The appeal is allowed.
8. Accordingly, the appeal and the connected application are disposed of.
9. However, there shall be no order as to costs.
10. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)