

11.04.2025
Ct. No. 30
S.L. No. 9
SM

WPA 718 of 2024
Mosiar Sk.
Versus
The State of West Bengal & Ors.

Mr. Tauhid Khan
Mrs. Marufa Mondal
Mr. Atanu Haldar
.....for the petitioner

Mr. Amrita Pandey
Mr. Ghanshyam Pandey
Ms. Bipasha Jaiswal
.....for the respondent no. 3

The present writ application has been preferred praying for disposal of Form 'N' filed by the petitioner on 31.07.2023, by the respondent no. 2 within a specific period being three months in Gratuity Case No. 154 of 2023.

Learned counsel appearing for the respondent company has raised the point of delay in the present case.

Considering the fact that the claim in the present case is for gratuity, which is under a beneficial legislation and that, liability in such cases also lies with the company who is to ensure that their employees are given such benefit if entitled to, the delay in making such claim is condoned.

The respondent no. 2 is directed to dispose of the application being Form 'N' dated 31.07.2023, within three months from the date of this order, on

the hearing the parties and in accordance with law by passing a reasoned order.

Applications, if any, connected thereto stand disposed of consequently.

Interim order, if any, stands vacated.

Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]