

265. 17.07.2025
(M/L) Court No.18
(Tanmoy)

WPA/2042/2024

**MD. QUADIR
VS
THE STATE OF WEST BENGAL AND ORS.**

Mr. Barun Kr. Samanta, Adv.

...for the petitioner.

Mr. Bhaskar Prasad Vaisya, AGP

Mr. Ranjan Saha, Adv.

...for the State.

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

Petitioner has claimed interest due to delayed payment of retiral dues/revised benefits in terms of ROPA 2019 on rectification of Form No.5. Form No.5 was rectified in terms of order dated 16th August, 2023, passed in the writ petition being WPA/26231/2022 preferred by the petitioner.

Recording satisfaction in the order dated 4th September, 2023, a co-ordinate Bench disposed of the writ petition since it was found that Form No.5 and e-Pension Payment Order were corrected.

It appears from the submissions made on behalf of the parties that in the writ petition being WPA/26231/2022 prayer was made for sanction of interest but while deciding the issue involved in that writ petition no direction was given by the co-ordinate Bench upon the respondent authorities to grant interest due to delay occurred in payment of retiral dues.

It is trite law once a prayer is made in previous writ petition and same was not granted, on identical prayer another writ petition is not maintainable since the same is barred by constructive *res judicata*.

Hence, the writ petition being WPA/2042/2024 stands dismissed.

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

(Saugata Bhattacharyya, J.)