

12.02.2025

Sl. No.: 12
Court No.30
BM

WPA 2328 of 2025

**Niva Devi Rauth @ Niva Devi
Vs.
State of West Bengal & Ors.**

Mr. Rananeesh Guha Thakurta
Ms. Senjuti Sengupta

... for the petitioner

Mr. Jaharlal Dey
Mr. Durga Bhusan Mukhopadhyay

... for the State

1. Affidavit of service fled be kept with the record.

2. The present writ application has been preferred praying for direction upon the respondent no.3 to execute certificate dated April 4, 2024.

3. Learned counsel for the State has placed a report along with copy of cheques issued in the Certificate proceeding. It appears from the report that the certificate case initiated on 11.06.2024 has proceeded and finally steps has been taken by the Company to make payment.

4. Considering the fact that the relief in the present writ application has already been processed, the Certificate Officer is directed to complete the proceeding as expeditiously as possible.

5. Learned counsel for the petitioner submits that due to inadvertence there was no appeal preferred against the order of the Controlling

authority. It is further submitted that the Controlling authority's order was not in accordance with law and an appeal should have been preferred praying for higher interest on gratuity to which the petitioner is entitled. As the said prayer is not a part of the writ petition, this court cannot consider the said prayer and the petitioner is at liberty to approach the appropriate forum praying for appropriate relief.

6. The period of limitation be counted from the date of passing of this order.

7. The writ petition stands disposed of.

8. Urgent Xerox certified copies of this order, if applied for, shall be supplied to the learned counsel for the parties as expeditiously as possible, in compliance of usual formalities.

(Shampa Dutt (Paul), J.)