

21.04.2025
Sl. No.7
akd

**W. P. A. 2822 of 2025
(CAN 1 of 2025)**

[Shaivya Devi -Vs- The State of West Bengal & Ors.]

Mr. Upendra Roy
Ms. Kanchan Roy
... .. for the petitioner

Mr. Alok Kumar Ghosh
Mr. Arijit Dey
... .. for the KMC

Mr. Anit Kumar Rakshit
Mr. Santanu Sett
... .. for the State

1. Petitioner has filed the present writ petition being aggrieved by the inaction on the part of the respondent authorities – Kolkata Municipal Corporation (KMC), in granting the death-cum-retirement gratuity and other service benefits which were due and payable to her deceased husband.
2. It is the case of the petitioner that her late husband was working under the respondent authorities – KMC as EXCM (Conservancy Mazdoor) bearing Registration No.163, Ward No. 42 under SWM-1, Borough-V, having Department Batch Nos. 224 and 245 and GPF A/c. No. L46391. Her husband had died on 18.09.2013 leaving behind the petitioner as well as other legal heirs. Following his demise, the petitioner being his wife as well as legal representative, became entitled for his terminal dues. Petitioner had made a representation dated 24.01.2024 before the respondent-Kolkata Municipal Corporation authorities for release of all terminal dues of her deceased husband. Despite having submitted the said representation, seeking disbursement of such benefits, no substantive action has been

taken by the respondent authorities till date, prompting the petitioner to seek redressal before this Court.

3. Learned Advocate for the respondent-Kolkata Municipal Corporation submits that they are ready and willing to decide the petitioner's representation dated 24.01.2024.

4. In view of the submission made by the learned Advocate for the respondent-KMC, petitioner submits that the petitioner shall be satisfied if her representation is decided in a time bound manner.

5. Accordingly, this Court directs the respondent-Kolkata Municipal Corporation authorities to decide the representation of the petitioner dated 24.01.2024 and pass a reasoned order within a period of eight weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioner.

6. Needless to mention that the petitioner shall extend full cooperation to the respondent-Kolkata Municipal Corporation authorities and furnish all necessary and pertinent documents to facilitate the effective adjudication of her claim.

7. With the aforesaid directions, the present writ petition is disposed of.

8. In view of disposal of the writ petition, connected application being CAN 1 of 2025 is also disposed of.

9. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

10. There shall be no order as to costs.

11. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)