

19.03.2025
Item No.4
BR

WPA 5743 of 2025
Md. Mustafa

-vs-

State of West Bengal and others

Mr. Uddipan Banerjee,
Mr. Subhrakanti Samanta
.... For the petitioner

Mr. Biswajit De,
Mr. Bhaskar Chakraborty,
... for the State

Affidavit of service filed by the petitioner
be kept with the record.

The present writ application has been
preferred praying for direction upon the
Certificate Officer, Serampore Sub-Division,
Office of the Sub-Divisional Officer,
respondent no. 4 herein to recover the
amount as awarded in the certificate dated
14th November, 2024 issued by the
Controlling Authority.

It is submitted that the recovery is
pending since long and the petitioner is
being prejudiced.

Learned counsel for the State is
present.

From the materials on record, it
appears that Controlling Authority issued

the notice for payment of gratuity to the respondent company on 6.10.2023.

As the respondent company did not comply with the said notice, the Controlling Authority informed the Certificate Officer, Srirampore, Hooghly vide letter dated 14.11.2024 for realization of the gratuity amount. An appeal by the respondent company was dismissed on 13.9.2024. The appeal before the District Magistrate and Collector, Hooghly was also dismissed vide an order dated 18.2.2025 and the matter has been informed to the judgment debtor. It appears that the certificate proceeding is still pending.

Considering the facts and circumstances of the case the Certificate Officer is directed to dispose of the recovery proceedings in accordance with law within 30 days from the date of communication of this order on hearing the parties concerned.

Parties to act on the server copy of this order.

Urgent Photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)