

04.11.2025
Court No. 02
Item No.50
(Suvendu)

WPA 6058 of 2025

Subhajit Thakur
-Versus-
The State of West Bengal & Ors.

Mr. Dinesh Pani
....for the Petitioner

Mr. Santanu Kumar Mitra
Mr. Subhabrata Das
....for the State

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

2. By filing this writ petition, petitioner has claimed dues towards Employees' Provident Fund and gratuity as the petitioner worked as a Valve Operator in Public Health Engineering Department. It is also submitted that the agency by which petitioner was engaged as Valve Operator in Public Health Engineering Department has released Provident Fund dues and pension. However, prayer is made for release of gratuity.

3. Prayer of the petitioner is opposed by learned advocate representing State respondents and attention of this Court has been drawn to page 29 of the writ petition wherefrom it appears that petitioner was not engaged against substantive post in Public Health Engineering Department.

Petitioner was engaged by an agency and said agency made payment to the petitioner for functioning as Valve Operator.

4. As it is submitted on behalf of the petitioner that gratuity was not paid to him, he shall be at leave to make an application for release of gratuity in accordance with law before the concerned authority. In the event such application is made Court expects that necessary steps shall be taken by the concerned authority for release of gratuity.

5. Writ petition stands disposed of.

6. There shall be no order as to costs.

7. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)