

**10.04.2025**

**Ct. no.2**

**Sl. 12**

**b.r.**

**WPA 7857 of 2025**

**Nikhil Kumar Pramanick**

**Vs.**

**The State of West Bengal & Anr.**

**Mr. Sudhakar Biswas**

**.... For the petitioner.**

**Mr. Krishna Das Poddar**

**Mr. Dhananjay Banerjee**

**.... For the Respondents.**

Affidavit of service filed in Court today, is taken on record.

Mr. Sudhakar Biswas, learned counsel appears for the petitioner.

Mr. Dhananjay Banerjee, learned advocate appears for the respondents.

The petitioner was a member of **National Volunteer Force**. As per rules, his service was discontinued upon reaching at his age of **sixty years**. In terms of the Government Order dated **September 15, 2008, annexure p-1 at page-9** to the writ petition, the petitioner claims ***Ex-Gratia Payment***.

Petitioner has submitted his representation dated **January 13, 2025, annexure p-2 at page-11**

to the writ petition, the same has not yet been considered.

In view of the above, the **respondent no.2** upon issuing a prior notice of hearing of at least **seven days** to the petitioner and after granting him an opportunity of hearing shall consider the said representation dated **January 13, 2025 at page-11** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the **respondent no.2** positively within a period of **six weeks** from the date of communication of this order.

The reasoned order shall be communicated to the petitioner positively within a further **one week** from the date of the said reasoned order to be passed.

It is made clear that, this Court has not gone into merits of the claim of the petitioner or the rival contentions of the respondents that there has been a dispute with regard to the date of retirement of the petitioner and the parties shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents they wish to rely upon before the respondent no.2.

If it is found that in terms of the said Government Notification dated **September 15,**

**2008**, the petitioner is eligible to receive *Ex-Gratia* after retirement then the petitioner shall have to be paid the same positively on and from the next date of retirement of the petitioner along with **interest @ 6% per annum** from such date till the actual date of tendering the amount to the petitioner.

In the event, the petitioner is found to be eligible for the payment, necessary payment shall be made as directed herein in favour of the petitioner positively within a period of **three weeks** from the date of the said reasoned order to be passed.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 7857 of 2025** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

**(Aniruddha Roy, J.)**