

30.07.2025.  
PB  
Sl. No.118.  
Ct. No.23.

In the High Court at Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

**WPA 8729 of 2006**

Smt. Alo Bhattacharyya & Ors.  
Vs.  
Berhampur Municipality & Ors.

Mr. Bidyut Baran Biswas.  
... For the petitioners.

1. This case pertains to the year 2006.
2. Despite direction by this Court to file affidavit-in-opposition within two weeks from the date of order, i.e. from 25<sup>th</sup> June, 2025, no affidavit-in-opposition has been filed by the respondent municipality.
3. None appears on behalf of the respondent municipality when the matter was called and no accommodation was sought for.
4. Time to file affidavit-in-opposition was extended earlier by this Court as a last chance.
5. From the conduct of the respondent, it appears that the respondents are not willing to file any affidavit-in-opposition or to contest the case. Accordingly, this matter is taken up for hearing ex parte.

6. The writ petitioners being the wife and two daughters of Monoranjan Bhattacharya, approached before this Court praying for family pension and other retiral benefits along with interest.

7. Monoranjan Bhattacharya was appointed as an employee in Berhampur Municipality. He was engaged in the Water Works Department as a permanent employee. Subsequently, he was superannuated from the service as a Pipe Line Inspector on and from 1<sup>st</sup> January, 1979.

8. It is submitted by the learned counsel appearing on behalf of the petitioners that the said Monoranjan Bhattacharya died on 31<sup>st</sup> May, 1989 leaving behind the aforesaid legal heirs. After demise of Monoranjan Bhattacharya, the petitioner no. 1 made a representation before the Chairman of Berhampur Municipality on 16<sup>th</sup> January, 2006 praying for family pension arrears and other retiral benefits along with 18% interest.

9. The petitioners also made a representation through their learned advocate (annexed P-4) but respondent no. 3 did not consider it as yet.

10. Having heard the learned counsel and upon perusal of the records, particularly Annexure P-3, this Court finds that it is admitted fact that Late Monoranjan Bhattacharya was regular employee of Berhampur Municipality and rendered his service till 1<sup>st</sup> January, 1979.

11. Considering the above facts and circumstances, this Court feels it is not necessary to keep this case pending further and directs the respondent no. 3/Chairman of Berhampur Municipality to consider the representation being Annexures P-1 and P-3 annexed with the copy of writ petition, within a period of eight weeks from the date of communication of this order together with the copy of the writ petition in accordance with law after affording an opportunity of hearing to the petitioners, if necessary and pass a reasoned and speaking order and communicate the same to the petitioners.

12. With the above observation, the writ petition being **WPA 8729 of 2006** is, thus, disposed.

13. There shall, however, be no order as to costs.

14. All parties are to act on a server copy of this order duly downloaded from the official website of this Court.

**(Ajay Kumar Gupta, J.)**