

16.06.2025
Item No. 03
Ct. No. 30
AN

WPA 11716 of 2025
Avijit Saha
vs.
State of West Bengal & ors.

Mr. Uddipan Banerjee
Mr. Subhrakanti Samanta
... for the petitioner

Ms. Mitali Mukhopadhyay
Mr. Prashant Kumar Tripathy
... for the State

Mr. Lakshman Chandra Halder
Mr. Balaram Patra
... for respondent no. 5

Affidavit of service filed be kept with the record.

The present writ application has been preferred praying for direction upon the Certificate Officer to expedite the completion of the certificate proceedings initiated by issuance of a certificate dated 16.02.2024 by the controlling authority.

Learned counsel appearing for the respondent company submits that they have paid the gratuity amount to the petitioner who has claimed for gratuity without interest.

It is further submitted that an application filed by the private respondent is pending before the Certificate Officer under Section 9 of the B.P.D.R. Act, 1913 which has not been disposed of by the Officer concerned.

Learned counsel representing the State has placed a report wherein it appears that on 11.06.2025, the Certificate Officer on hearing the parties, directed the private respondent herein to make payment within a specified time.

It appears that a review petition under Section 54 of the B.P.D.R. Act, 1913 is pending adjudication.

On hearing the learned counsels for the parties and considering the materials placed, the writ application is **disposed of** with the direction that the authority concerned shall dispose of the review petition under Section 54 of the B.P.D.R. Act, 1913 within 15 days from the date of communication of this order and the Certificate Officer shall make all endeavour to dispose of the certificate proceedings within 60 days thereafter in accordance with law.

There will be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Shampa Dutt (Paul), J.)