

Sl. No.09
06.01.2025
Suman
Ct. 15

WPA 13203 of 2024

Nihar Ranjan Das
Vs.
The State of West Bengal and Ors.

Dr. Bishnupada Dutta
..for the petitioner

Mr. Koushik Chatterjee
Ms. Oindrila Sinha
Mr. Nilanjan Adhikari
...for respondent nos. 3 to 6.

Mr. Bibekananda Tripathy
Mr. Sayan Datta
..for the State

The petitioner expresses his grievance that, despite retiring on March 31, 2023, as a Lower Division Clerk of Contai Municipality, his retiral dues and arrear pension have yet to be released.

In response, the Municipality has filed a report, the relevant portion of which is quoted as follows:

“As per the pension payment order of the petitioner, the petitioner is entitled of gratuity of Rs.7,30,000.00/-. That out of the aforesaid gratuity amount the municipal authority released 50,000.00/- as on 6th May, 2024 and the rest amount i.e. 6,80,000.00/- is still dues and municipal authority is very much willing to pay the same but due to the financial scarcity the municipality till date the municipal authority cannot able to pay the same and the municipality will pay the same at earliest as possible in installments.”

The learned advocate appearing for the petitioner submits that, while the petitioner is receiving his regular pension, the report filed by the Municipality fails to address the issue of the arrear pension. The Municipality does not dispute the petitioner's entitlement to the pension and acknowledges that he is receiving his monthly pension.

In light of the above, this writ petition is disposed of with a direction to the Municipality to release the petitioner's retiral dues, including the arrear pension, within four months from the date of this order. The Municipality is to effect the payment in suitable installments, as it considers appropriate.

Accordingly, **WPA 13203 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)