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02-01-2025

AKG

Ct. 15

WPA 16741 of 2024
Nanda Gopal Dey
Vs.
The State of West Bengal & Ors.

Mr. Arup Banerjee

...for the Petitioner

Mr. Mrinal Kanti Ghosh,
Mr. Chandra Nath Sarkar

...for Respondent Nos. 6 7 & 8

Mr. Srijan Nayak,
Mr. Biplab Das

...for the Respondents

The petitioner was appointed as Head Clerk-cum-Cashier at the Postal Co-operative Multipurpose Society of Burdwan Ltd. The society suspended him on October 10, 2023. It was alleged that the petitioner was involved in various financial irregularities and the defalcation of the society's funds. By a letter dated July 7, 2023, the society directed the petitioner to refund Rs. 61,95,605.89. The petitioner's superannuation was set for December 31, 2023.

The learned advocate representing the society has failed to provide any document to indicate that formal disciplinary proceedings were initiated against the petitioner. However, he has informed the Court that an FIR has been lodged against the petitioner for his alleged involvement in the financial irregularities.

In the above context, the petitioner seeks the

release of his retiral dues.

It appears that the petitioner has submitted a representation to the society regarding the release of his retiral dues.

In view of the aforementioned circumstances, I dispose of this writ petition with a direction upon the society to consider the petitioner's representation, as appearing at page 89 of the writ petition, within one month from the date of this order, and to pass a reasoned order. The society must afford the petitioner an opportunity to be heard before reaching a decision, and the reasoned order should be communicated to the petitioner without undue delay.

Accordingly, **WPA 16741 of 2024** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)