

02.01.2025
D.L.5
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 28050 of 2024

Nepal Chandra Saha
Vs.
Employees Provident Fund Organisation & Ors.

Mr. Debashis Banerjee
.....for the petitioner.
Mr. Shiv Chandra Prasad
.....for the P. F. Authorities.

The petitioner was an employee of Westinghouse Saxby Farmer Limited (respondent no.4) and has retired from the services on 1st January, 2017. The petitioner has been given a sum of Rs.6,26,526/- on account of his retiral benefits which include pension under EPS Scheme, Gratuity and Leave Pay. The petitioner says that he is entitled to further sum over and above the amount of Rs.6,26,526/-. The petitioner has been repeatedly ventilating his grievances but nothing of substance has taken place.

In the aforesaid facts and circumstances, I think that justice will be sub-served if I direct the respondent no.3 to consider the representations made by the petitioner, the last of which is dated 27th September, 2024, which appears at page 17 of the writ petition, being Annexure – ‘P-3’ thereof.

The respondent no.3 shall dispose of the grievances of the petitioner within a period of 8 weeks

from the date of service of this order. After giving the petitioner a reasonable opportunity of hearing and pass a reasoned order which shall be binding on the parties. The respondent no.3 shall also direct the department to release the payments receivable by the petitioner in the event the petitioner is entitled to additional sum over and above Rs.6,26,526/- within a period of 4 weeks after expiry of the 8 weeks' time period granted to the respondent no.3 to complete the hearing exercise.

It is made clear that I have not gone into the merits of the case and the respondent no.3 shall be free to decide all issues that may be raised before him.

Nothing further remains to be adjudicated in this writ petition. The same is accordingly disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Arindam Mukherjee, J.)