

Sl.18
02.04.2025
Court No.2
BP

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side**

WPA 654 of 2025

Rang Mala Mazumdar & Ors.
Vs.
Cooch Behar Zilla Regulated Market Committee & Ors.

Mr. Sanjay Mazoomder
Ms. Sukanya Adhikary
..for the petitioners

Mr. Bikash Singha
..for the State

Affidavit of service filed in Court today is taken on record. In spite of notice, the Zilla Regulated Market Committee is not represented.

The petitioners' claim that their husbands were Group-D employees at Cooch Behar Zilla Regulated Market Committee. It is the specific case of the petitioners that their respective husbands retired from the service on superannuation during the years 2016 – 2019.

The petitioners' claim that by virtue of a notification bearing memorandum dated January 28, 2021 issued by the West Bengal State Agricultural Marketing Board, the Chief Executive Officer was pleased to extend the benefit of revision of pay and allowances in view of 6th Pay Commission to the regular

employees of different Regulated Market Committees/Zilla Regulated Market Committees in terms of sub-section 4 of Section 14 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 read with Rule 27 of the West Bengal Agricultural Produce Marketing (Regulation) Rules, 1982 and in terms of the said notification the ceiling of the gratuity has been enhanced to Rs. 12,00,000/- with effect from 1st January, 2016.

The petitioners' claim that since their respective husbands retired after 1st January, 2016 the petitioners are entitled to enhance gratuity as per the said memorandum.

The petitioners submitted representations before the various authorities including the Secretary, Cooch Behar Zilla Regulated Market Committee by a letter dated 8th February, 2024 claiming release of enhanced gratuity.

The grievance of the petitioners is that the said authority has not communicated its decision with regard to the prayer of the petitioners claiming enhanced gratuity.

It has been submitted by the learned advocate appearing for the petitioners that no certificate has also been issued by the employer with regard to the enhanced gratuity.

Without entering into the merits of the claim of the petitioners, WPA 654 of 2025 is disposed of by directing the Secretary, Cooch Behar Zilla Regulated Market Committee being the 3rd respondent to consider the representation of the petitioners dated 8th February, 2024 and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the authorized representative of the petitioners. The reasoned order shall be communicated to the petitioners immediately thereafter. The entire exercise shall be completed as expeditiously as possible but positively within a period of six weeks from the date of receipt of a server copy of this order along with the copy of the representation dated 8th February, 2024.

If the said respondent is of the opinion that the petitioners are entitled to enhanced gratuity, consequential steps shall be taken by the said respondent.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)