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17.12.2025
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

W.P.A 768 of 2025

**Sri Debashis Moitra
-versus
The State of West Bengal & Ors.**

**Mr. Partha Sarkar.
...For the Petitioner.**

**Mr. Hirak Barman,
Mr. Momenur Rahman.
...For the State.**

1. The petitioner filed the instant writ petition when he was in service praying for setting aside the impugned order of the Director of Local Bodies relating to recasting his scale of pay.

2. The petitioner claims to be similarly placed as that of Sri Bitta Ghosh and Jibesh Ch. Roy, retired employees of the same municipality.

3. The respondents assert that the petitioner was not appointed in a sanctioned post for which his scale of pay will be of Rs.3350-6325/- instead of Rs.4000-8850/-.

4. During the pendency of the instant writ petition, the petitioner retired from service on 31st August, 2025. Due to pendency of the instant writ petition, he could not submit his pension documents online in the pension portal.

5. It has been submitted that the authority ought to take a decision to settle the scale of pay of the petitioner and in the meantime disburse the admitted terminal dues of the petitioner.

6. Despite direction passed by the Court on 1st May, 2025 directing the Director of Local Bodies to file a report, the same has not been filed till date.

7. Today the instruction forwarded by the Director of Local Bodies has been handed over in Court. Let a copy of the same be made over to the learned advocate representing the petitioner.

8. As it appears that the petitioner has already retired from service after rendering service for more than 20 years, accordingly, the petitioner would be entitled to receive his terminal dues.

9. The writ petition stands disposed of by directing the Director of Local Bodies to settle the issue of the scale of pay of the petitioner as has been done in respect of similarly situated employees mentioned hereinabove and permit him to submit his pension documents so that the admitted terminal dues of the petitioner can be released.

10. The Director of Local Bodies is directed to grant an opportunity of hearing to the petitioner for production of all documents in support of his claim. The petitioner shall be permitted to take the assistance of a legal representative at the time of hearing.

11. Decision by the Director of Local Bodies shall be taken at the earliest but positively within a period of eight weeks from the date of communication of this order.

12. The admitted terminal dues of the petitioner shall be disbursed within a period of 90 days from the date of submission of all necessary documents by the petitioner.

13. The writ petition stands disposed of.

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

(Amrita Sinha, J.)