

WPA 649 of 2026

Sri Raj Kumar Dey Das
Versus
The State of West Bengal & Ors.

Mr. Chittapriya Ghosh
Ms. Priyanka Saha

... For the petitioner

Ms. Amrita Panja Moulick
Sk. Afrojul Haque

.... For the State

1. The affidavit-of-service filed in Court today is taken on record.
2. The matter pertains to non-disbursal of retiral gratuity. The petitioner claims to have been an employee of Suri Municipality. Subsequent to his retirement on 31st January, 2022, the Pension Payment Order (PPO) has been issued in his favour on 2nd May, 2023. As per the aforesaid PPO, a sum of Rs. 7,23,987/- is due and payable to the petitioner on account of gratuity. According to the petitioner, though he has received the other benefits and is regularly being disbursed pension, the municipality is yet to favour him with the retiring gratuity.
3. The state is represented.
4. Having heard the learned advocates appearing for the respective parties and though the municipality remains unrepresented despite service, I am of the view considering the fact that the PPO has

already been issued in favour of the petitioner, no fruitful purpose would be served in keeping the writ petition pending. Accordingly, the writ petition stands disposed of by directing the respondent Nos. 5 to 7 to take immediate steps for disbursement of gratuity in favour of the petitioner as may be found due in terms of the aforesaid pension payment order(PPO).

5. Since, retiral gratuity cannot be held back without a just cause, contrary to provisions of Payment of Gratuity Act, 1972, I am of the view that the municipality must pay interest on the amount so found due at the rate of 8% per annum from the date when the same became due till such time the same is actually paid. Considering the fact that P.P.O. has already been issued, I am of the view that the amount of gratuity as may be found due as directed above, must be disbursed as expeditiously as possible but not later than 8 weeks from the date of communication of this order.
6. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)