

WPA 1946 of 2026

Sri Sailesh Kumar Mishra
Versus
The Champdany Municipality & Ors.

Mr. Partha Sarkar
Mr. Abhijit BASu
Ms. Megha Sarkar

... For the petitioner

Mr. Ayan Banerjee
Mr. Dhiman Banerjee

.... For the municipality

1. The present writ petition has been filed, inter alia, praying for disbursal of the retiral benefits. The petitioner claims to be an employee of the Champdany Municipality and has retired from service on 31st August, 2022. Consequent upon his retirement, the PPO has already been issued. According to the petitioner, despite issuance of PPO dated 16th October, 2023, only part payment has been made in respect of the gratuity already determined.
2. Mr. Banerjee, learned advocate appears for the municipality. He would submit that a sum of Rs. 4,50,000/- has already been disbursed out of the amount of Rs. 7,30,000/-.
3. Having regard to the above and noting that the sum of Rs. 2,80,000/- is admittedly due and payable to the petitioner on account of gratuity, I am of the view that the gratuity cannot be

unnecessarily held back without a just cause contrary to the provisions of Payment of Gratuity Act, 1972. Accordingly, I direct the municipality to make payment of the aforesaid amount along with interest computed at the rate of 7% per annum from the date when the same became due till such time the same is actually paid. The municipality is also directed to disburse the arrear pension and the regular pension.

4. Insofar as the payment of gratuity is concerned, such payment shall be made as expeditiously as possible but not later than 8 weeks from the date of communication of this order.
5. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)