

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 4489 of 2024

Pradip Kumar Maity
-versus
West Bengal Essential Commodities
Supply Corporation Limited & Ors.

Mr. Krishnendu Bera
... For the petitioner

Mr. Sanjay Saha
Ms. Indrani Mukherjee
... For the respondents

1. The petitioner is aggrieved as leave encashment has been allowed in his favour only for a period of 168 days against the maximum of 300 days.

2. Learned advocate for the petitioner submits that the petitioner would be entitled to leave encashment for the maximum number of days i.e., 300 days along with up-to-date increment till his date of superannuation.

3. A representation from the petitioner is pending consideration at the end of the Managing Director of the West Bengal Essential Commodities Supply Corporation Limited.

4. Learned advocate representing the Corporation submits, upon instruction, that the

petitioner would be required to produce certain documents for the purpose of adjudication of his claim.

5. Upon hearing the submissions made on behalf of both the parties and on perusal of the materials on record, as it appears that the prayer of the petitioner seeking leave encashment and up-to-date increment is pending consideration before the employer, accordingly, the instant writ petition stands disposed of by directing the respondent no.2, being the General Manager (Personnel), West Bengal Essential Commodities Supply Corporation Limited, to take a decision on the petitioner's prayer in accordance with law after giving him a reasonable opportunity of hearing to produce all the necessary documents at the earliest but positively within a period of twelve weeks from the date of communication of this order.

6. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.

7. If the claim of the petitioner is accepted, then necessary consequential steps shall be taken by the authorities for disbursal of his dues without any further delay.

8. Learned advocate for the petitioner is directed to forward a copy of the representation seeking consideration along with all supporting documents to the aforesaid respondent at the time of communicating the order of the Court.

9. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

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

(Amrita Sinha, J.)