

23.06.2026
Court No.12
Item 15
cp

MAT 839 of 2026
with
CAN 1 of 2026

Bhatpara Municipal Pensioners Welfare Association
Vs.
The State of West Bengal & Ors.

Mr. Rananeesh Guhathakurata
Ms. Senjuti Sengupta
Mr. P. C. Maity

... for the Appellant.

Mr. Shiv Shankar Banerjee
Mr. Siddharth Chamria
Mr. A. N. Banerjee

... for the Bhatpara Municipality.

Ms. Susmita Saha Dutta
Ms. Tanusree Ghosh

....for the State.

1. The appeal arises out of an order dated April 21, 2026, passed by a learned Single Judge in WPA 8663 of 2025. His Lordship recorded the submission of the writ petitioner and being satisfied that the pension was being paid, had disposed of the writ petition, inter alia, holding that nothing remained to be decided.
2. Mr. Guhathakurata, learned advocate for the appellant, submits that such recording was not in accordance with the case urged before His Lordship.
3. Mr. Banerjee, learned advocate for the municipality, on the other hand submits that during the

pendency of the writ petition, the pension had been regularized. Admittedly, there were some arrears which were also paid. It is further contended that the submissions made before us, were not made before His Lordship. No prayer for interest on delayed payment of pension or on the arrears, had ever been made when the matter was being heard.

4. Mr. Guhathakurata denies such contention and submits that all submissions were made before His Lordship. He refers to the prayers in the writ petition to substantiate his argument that all reliefs prayed for had been urged before His Lordship.
5. According to us, the law is well-settled. If a party alleges incorrect recording or omission in the recording of an order, the party making such allegation is required to go back to the court which passed the order. Under such circumstances, leave is granted to the appellant to prefer a review in accordance with law, from the order impugned before us.
6. Needless to mention that, pension is a right of the pensioners and should be paid regularly by the municipality.
7. Accordingly, the appeal and the connected application being CAN 1 of 2026 are disposed of.

8. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)