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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11788 of 2025

Smt. Sima Das
Versus
The State of West Bengal & Ors.

Mr. Bapin Baidya
... For the petitioner

Mr. Soumitra Bandhopadhyay
Ms. Sucheta Banerjee
... For the State.

Mr. Lakshminath Bhattacharya
... For the municipality.

1. The matter was posted under the heading “To Be Mentioned” to seek certain clarifications.
2. Accordingly, the unsigned order dated 6th March, 2026 stands recalled.
3. Following the above, upon seeking such clarification this Court has been pleased to pass the following order.
4. Pursuant to the order dated 5th March 2026, an affidavit of compliance has been filed by the respondent no. 4 who was also personally present in Court on 5th March, 2026.
5. By filing the above affidavit, it has been submitted on behalf of the respondent no.4 that after the Pension Payment Order was issued in the last week of January 2026, the Municipality has made all endeavour for

disbursal of terminal benefits after deducting the payment already made in favour of the petitioner. According to such affidavit, a sum of Rs.6,46,540/- has already been paid to the petitioner and by letter dated 2nd March 2026, the Director of Local Bodies, Government of West Bengal has been requested to release proportionate share of the balance amount of Rs.17,59,071/-.

6. Mr. Bandopadhyay, learned advocate appearing for the State has submitted that the share of the Government is limited to 40 per cent of Rs. 17,59,071/-, which works out to Rs.7,03,628/-.

7. At this stage, learned advocate appearing for the respondent no. 4 by placing before this Court a sanction order dated 5th March 2026 submits that already a sum of Rs. 4,08,903/- has been sanctioned in favour of the petitioner. The aforesaid amount is being released after giving credit to a sum of Rs.6,46,540/- already paid in favour of the petitioner. According to him, the entire share of the municipality has been sanctioned and released and the said amount has already been deposited with the treasury and it is more likely that the aforesaid amount shall be disbursed in favour of the petitioner within the next few days.

8. Having heard the learned advocate appearing for the petitioner and since Mr. Bandyopadhyay would assure this Court that the State shall take all possible steps to release the State's share as expeditiously as

possible, preferably within a month from date, I am of the view that there is no point in retaining this matter on the file any longer.

9. Accordingly, the Municipality is directed to forthwith disburse the entire amount of gratuity which has been determined vide the Pension Payment Order to the extent of Rs.4,52,175/- along with interest at the rate of 10 per cent per annum in favour of the petitioner preferably within a period of 4 weeks from date.

10. The personal appearance of Mr. Sukumar Halder, the respondent no. 4 is dispensed with.

11. The writ petition, thus, stands disposed of by directing the State to take steps as may be necessary for disbursement of the State's share of pensionary benefit in favour of the petitioner preferably within a month from date. Once, the State's share is released, the municipality shall disburse the same to the petitioner forthwith.

Urgent Photostat certified copy of this order, if applied for be given to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)