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NANDY

(DISMISSED)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 13057 of 2024

**SHYAMAL KANTI CHAUDHURY
VS.
THE STATE OF WEST BENGAL & ORS.**

Mr. Dilip Kumar Maiti, Advocate

.....for the Petitioner

Mr. Suman Basu, Advocate

.....for the Respondent Nos. 5 & 6

Mr. Gourav Banerjee, Advocate

.....for the State

1. Affidavit of service, as filed, be kept with the record.
2. The petitioner is aggrieved by the delay in receiving the post-retiral benefits from the employer. The employer is the State of Maharashtra, represented by the Principal of the concerned institute, the respondent no. 3 herein. There is no representation on behalf of the respondent no. 3.
3. The grievance of the petitioner is against the employer, the State of Maharashtra that his pensionary and retiral benefits had not been paid within time.
4. The State of West Bengal and the respondent nos. 1 and 4 are the authorities of the State of West Bengal and are merely the disbursing authority. They are not the sanctioning authority and cannot be foisted with any claim for interest that may be due to the petitioner.
5. The petitioner's remedy lies against his employer, the respondent nos. 2 and 3, if at all.
6. This writ-petition against the State of West Bengal as well as against the respondent nos. 5 & 6, cannot be entertained. There is no default on the part of these respondents for which a writ may be issued by this Court.

7. In view of the afore-stated, **WPA 13057 of 2024** is **dismissed**. No order as to costs.
8. However, dismissal of the instant writ-petition will not preclude the petitioner from pursuing his remedy before the appropriate authority.

(Reetobroto Kumar Mitra, J.)