

10. 17.03.2026.
Court No.03.
(Pritam)

WPA 15666 of 2025.

Biswanath Poddar.

-Vs.-

The State of West Bengal & Ors.

Ms. Susmita Saha Dutta,
Mr. Niladri Saha,
Ms. Madhurima Basu.

.....for the petitioner.

Mr. Debjit Mukherjee,
Mr. Debasish Kar.

.....for the State.

Mr. Sirsanya Bandyopadhyay,
Mr. Arka Kumar Nag,
Ms. Debolina Ghosh.

.....for the municipality.

1. Affidavit-of-service filed in Court today is kept with the records.
2. The instant writ petition has been filed, *inter alia*, for a direction upon the respondents to release and disburse the admissible dues on account of retiral gratuity amounting to Rs.5,65,007/- along with interest @ 8% per annum. The petitioner claims to be an employee of the Raiganj Municipality and has retired from service on 31st December, 2022. This apart, the petitioner complains of irregularity in disbursal of regular pensionary benefits.
3. The learned advocate for the writ petitioner would submit that though a Pension Payment Order (PPO) has been issued on 12th April, 2023, the municipality is yet to disburse the same.

4. The municipality is represented.
5. Having heard the learned advocates appearing for the respective parties and noting that the right to be entitled to payment of gratuity is immediately on the retirement and since in the instant case, the Pension Payment Order (PPO) has already been issued, identifying the gratuity amount to be Rs.5,65,007/- and considering that the right to be entitled to gratuity cannot be interfered with contrary to the provisions of Payment of Gratuity Act, 1972, I am of the view that the municipality should take immediate steps and ensure that the gratuity and the pensionary benefits are released and disbursed in favour of the petitioner.
6. The municipality is directed to forthwith disburse the outstanding amount of gratuity in favour of the petitioner within a period of 4 weeks from the date of communication of this order along with statutory interest @ 10% per annum to be calculated from the date when the same has actually become due on his retirement till such time the same is actually paid.
7. Accordingly, the writ petition stands disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Raja Basu Chowdhury, J.)