

09.03.2026
Ct. 3
Item No.
AD 2
Saswata

WPA 23742 of 2024

**Sk. Salam
Versus
The State of West Bengal & Ors.**

Mr. Dinendranath Chatterjee Mr. Madhusudan Mandal	...For the petitioner
Ms. Sipra Mazumder Ms. Prativa Ghatak	...For the State
Mr. Ramkrishna Bhattacharya Mr. Sajal Kumar Pandit Mr. K. Chowdhury Mr. D. Panda	...For the Municipality

1. The instant writ petition has been filed, inter alia, challenging the showcause and the abrupt stoppage of pensionary benefits payable to the petitioner from May 2024. Since on the last occasion, on 24th February 2026 when the matter was taken up, the learned advocate appearing for the Municipality on instruction had submitted that the municipality had already adopted a resolution that the withheld pensionary benefit will be forthwith disbursed, this matter was adjourned till today for the municipality to produce the resolution and for its consequential action in furtherance to such resolution.

2. Today, the learned advocate for the municipality has produced the copy of the resolution dated 23rd February 2026. From the copy of the above resolution it would transpire that though the Municipality for certain reasons, which are not disclosed in the resolution had abruptly stopped pensionary benefits of the petitioner, however, considering the financial condition of the petitioner, it had decided to restart the payment of pension.
3. Although, the resolution records that the municipality has purported to start pensionary benefits in favour of the petitioner, the learned advocate appearing for the petitioner would submit that the petitioner is yet to receive the actual benefits. Further though, in the above resolution it has been stated that only 6 months' arrear pension shall be provided to the petitioner, as rightly pointed out by the learned advocate for the petitioner, there is no explanation why the balance amount shall not be disbursed.
4. Having heard the learned advocates appearing for the respective parties and noting that pension cannot be unnecessarily withheld at the whims and fancies of the municipality, I direct the municipality to forthwith disburse the

regular pensionary benefits along with arrear dues as are payable to the petitioner as expeditiously as possible but not later than 4 weeks from the date of communication of this order. The arrear pension shall also carry an interest at the rate of 6 per cent per annum.

5. With the above direction, the writ petition is disposed of.
6. All parties shall act on the basis of server copy of this order duly downloaded from this Court's official website.

(Raja Basu Chowdhury, J.)