

WPA 24028 of 2025

**Biswajyoti Chatterjee
Vs
The State of West Bengal & Ors.**

Ms. Sreemayee Mukherjee
.....for the petitioner

1. The petitioner retired on superannuation on 31st May, 2023. His allegation is that his leave encashment due has not been paid. Legal representation on behalf of the petitioner is pending consideration at the end of the respondent authority.

2. None represents the respondents despite service.

3. Affidavit of serviced filed in Court is taken on record.

4. As it appears that the petitioner's prayer seeking grant of leave encashment is pending consideration at the end of the authority, no useful purpose would be served by keeping the writ petition pending.

5. The writ petition is disposed of by directing the Principal Secretary, Judicial Department, being the respondent No. 3 herein to take a decision on the petitioner's prayer for grant of leave encashment in accordance with law at the earliest but positively within a period of eight weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner.

6. If the prayer of the petitioner is allowed, then necessary consequential steps for releasing payment shall be taken without any further delay.

7. Learned advocate appearing for the petitioner shall forward a copy of the legal representation dated 1st September, 2025 along with all supporting documents to the aforesaid respondent at the time of communicating the order of Court.

8. It is made clear that the Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

9. The writ petition is disposed of.

10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Amrita Sinha, J)