

37. 17.03.2026.
Court No.03.
(Pritam)

WPA 27374 of 2025.

Rizia Khatun.

-Vs.-

Burdwan Municipality & Ors.

Mr. Partha Sarkar,
Mr. Abhijit Basu,
Ms. Megha Sarkar.

.....for the petitioner.

Mr. Subhasis Bandyopadhyay.

.....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 failure on the part of the respondents to release the retiral dues payable to the petitioner.
3. The petitioner was an employee of the municipality and had joined the service in the year 1985 in the post of Sweeper.
4. She retired on 31st December, 2018. Although, a Pension Payment Order (PPO) dated 6th October, 2023 has been issued and gratuity has been determined to be Rs.3,65,000/- and family pension as noted therein, only the pension amount is being disbursed by the municipality.
5. The municipality is represented.

6. Having heard the learned advocates appearing for the respective parties and taking into consideration the fact that PPO has already been issued in favour of the petitioner on 6th October, 2023, in my view, it shall be prudent at this stage to direct the municipality to act in accordance with law and release the admitted retiral benefits including gratuity and regular pension in favour of the petitioner since the retiral benefits cannot be unnecessarily held back and gratuity cannot be denied contrary to the provisions of Payment of Gratuity Act, 1972. Accordingly, there being no impediment, I direct the municipality to disburse the pensionary benefits along with the outstanding amount of gratuity as expeditiously as possible, preferably within a period of 8 weeks from the date of communication of this order.
7. The outstanding amount of gratuity shall be paid along with the statutory interest of 10% per annum calculated from the date when the petitioner retired till such time the same is actually is paid.
8. With the above observations and directions, the instant writ petition stands disposed of.
9. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Raja Basu Chowdhury, J.)