

27.04.2026
Item No. 39
Court No.06
SK(AR(CR)

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

WPA/556/2026

POSNA ROUTH @ PASNA ROUTH
VS
THE STATE OF WEST BENGAL AND
ORS.

Mr. Mayank Bhandari,
Mr. Satyajit Paul,
...for the petitioner.

Mr. Bikramaditya Ghosh,
Mr. Pretam Das,
Mr. Abhishek Sen,
...for the Jalpaiguri Municipality.

Mr. Hirak Barman,
Mr. Bikash Singha,
...for the State.

1. The grievance of the petitioner is directed against non-payment of her gratuity and pensionary arrears. It is submitted on behalf of the petitioner that despite having retired as far back as on 30 June 2021, the respondent Authorities have failed and neglected to make payment of the above gratuity and arrear pension.
2. On behalf of the State, it is submitted that (subject to verification of the petitioner's claim) they can give no positive date by which such payments can be made.
3. On behalf of the Municipality, it is submitted that they are ready and willing to make payment of the dues payable to the petitioner subject to necessary verification. However, they are yet to receive any funds

from the state. It is also submitted on behalf of the Municipality that they will make payment within 7 days from receipt of any funds from the State.

4. On behalf of the State respondents, the instructions filed on behalf of the Director of Local Body, West Bengal, be kept with the records, it appears from the report that the entire pensionary dues for the year ending 2024-25 has been paid by the State to the Municipality.
5. In view of the contradictory and irreconcilable positions taken by both the Municipality and the State, WPA/556/2026 is disposed of by directing the concerned Municipal Authorities being the respondent nos. 4 and 5, to ensure payment of the petitioner's dues, subject to all necessary verifications in accordance with law within a period of 8 weeks from the date of passing of this order.
6. It is a pathetic state of affairs for a role Model Employer to delay in making of payment of retiral dues and/or other pensionary benefits.

(RAVI KRISHAN KAPUR, J.)