

16.04.2021.  
Item no. 48.  
Court No.13  
ap

**W.P.A. No. 5460 of 2021  
(Through Video Conference)**

**Bose Institute Pensioners' Welfare Association &  
Anr.  
Versus  
Bose Institute & Ors.**

Mr. Arunangshu Chakraborty,  
Ms. Geniya Mukherjee,  
Ms. Mahfuza Khatun.

...For the petitioners.

Ms. Chandreyi Alam,  
Ms. Runu Mukherjee.

...For the UOI.

Mr. Sahasrangshu Bhattacharya,  
Mr. Sukanta Chakraborty.

...For the respondent nos.1, 3, 5 and 9.

The petitioners are the pensioners of Bose Institute, which is a reputed Scientific Institute under the control of the Department of Science and Technology.

The writ petitioners are also aggrieved by the fact that the recoveries are being made from their terminal benefits.

They submit that while they are getting revised pension after applying the 7<sup>th</sup> Pay Commission, they are getting 30% less than what they actually ought to get. They further submit that the existing employees of the Bose Institute are getting the full benefit of revision of Pay Scale pursuant to the 7<sup>th</sup> Pay Commission.

Counsel for the Bose Institute submits that they have not received funds from the Central Government

to enable them to make any payment to the petitioners. It is further submitted that there are some anomalies in the claims of the petitioners.

In those circumstances, since the matter concerning terminal benefits, the respondents shall file affidavit-in-opposition to the main writ application on or before 3<sup>rd</sup> May, 2021. Reply, if any, thereto be filed by 7<sup>th</sup> May, 2021.

List this matter in the same position on 17<sup>th</sup> May, 2021.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

***(Rajasekhar Mantha, J.)***