



2023:CHC-AS:22611

21.09.2022
Ct. no.21
Sl. No.39
Sanjay

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21012 of 2022

**Goutam Adhikary
Vs.
Union of India & Ors.**

Mr. Dilip Kumar Maity for the petitioner.

Mr. Rudra Jyoti Bhattacharya
...for the respondent Nos. 3 to 6.

In this writ petition the writ petitioner claims that a sum of Rs.1,12,148/- has been deducted from the gratuity amount payable to him after his retirement. The petitioner claims the refund of the gratuity amount along with the interest thereon. The petitioner has challenged the impugned Pay order dated August 28, 2019 deducting the aforesaid amount of gratuity from the gratuity dues payable to the petitioner.

Mr. Maity, learned counsel appears on behalf of the writ petitioner and submits that by a letter dated January 13, 2021, the Assistant Commandant, CISF, Sundargarh, Odisha informed that rectification of the salary of the petitioner would be done in compliance with the direction of RPO, Ranchi after deducting the aforesaid sum of Rs.1,12,148/-. He submits that no deduction can be made from the pensionary benefits of the petitioner after his date of superannuation. The petitioner had retired from service on March 31, 2019.



Mr. Bhattacharya, learned counsel appears on behalf of the respondent Nos. 3 to 6 and prays for leave to file report on affidavit. Such leave, as prayed for, is granted.

Let such report on affidavit be filed by November 11, 2022. Exception, if any, be filed by November 18, 2022. The parties are directed to exchange advance copy of the affidavit.

Let the matter appear for consideration under the heading “**Motion**” on **November 23, 2022**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon’ble Court.

(Lapita Banerji, J.)