

WPA 29199 of 2025

Somnath Pal
Versus
The State of West Bengal & Ors.

Mr. L.R. Mondal
Mr. Sk. Kiran

... For the petitioners.

Mr. Sayantan Hazra
Mr. Subrata Ghosh

... For the municipality

1. The affidavit-of-service filed in Court today is taken on record.
2. The instant writ petition has been filed, inter alia, praying for disbursal of retiral benefits. The learned advocate for the petitioner would submit that the petitioner was an employee of Murshidabad Municipality. He has since retired from service on 31st January, 2024. Subsequently, a PPO has already been issued on 28th January, 2025.
3. Notwithstanding the aforesaid, the municipality has not bother to make payment despite the petitioner having issued 11 several reminder letters. The petitioner claims to be suffering from various ailments and in support of his medical condition, he has relied on a discharge certificate issued by the Narayana Institute of Cardiac Science.

4. Heard the learned advocates appearing for the respective parties including the advocate for the municipality. Considering the peculiar facts and noting that PPO has already been issued and ordinarily payment of gratuity and the terminal benefits cannot be held back without just cause and contrary to the provisions of Payment of Gratuity Act, 1972, I am of the view that the municipality is under an obligation to forthwith make payment of the gratuity amount and the other terminal benefits in favour of the petitioner as determined by the PPO dated 20th January, 2025.
5. Having regard thereto, I direct the respondents including the State to act in tandem and ensure disbursement of the benefits payable to the petitioner in terms of the PPO dated 28th January, 2025 within a period of 8 weeks from the date of communication of this order. Insofar as the gratuity is concerned, the same shall carry statutory interest at the rate of 10% from the date when the same is due till such time, the same is actually made.
6. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)