
(2021) 07 GAU CK 0044

In the Gauhati High Court

Case No : Writ Petition (Civil) No. 2887 Of 2021

Md. Safiuddin Ahmed @ Saffiq Uddin

APPELLANT

Vs

State Of Assam And 4 Ors

RESPONDENT

Date of Decision : 12-07-2021

Acts Referred:

Citation : (2021) 07 GAU CK 0044

Hon'ble Judges : Kalyan Rai Surana, J

Bench : Single Bench

Advocate : A Bhattacharyya

Final Decision : Disposed Of

Judgement

Heard Mr. A. Bhattacharyya, learned counsel for the petitioner and Mr. B. Gogoi, learned Standing counsel for the Finance Department appearing for all the respondents.

The case of the petitioner is that he was the Day Chowkidar in Assam Plantation Crops Development Corporation Ltd. and after rendering service in the Corporation for more than 35 years, the petitioner had superannuated on 31.03.2016 as Day Chowkidar. Though the petitioner had applied for payment of his retirement dues, i.e. Gratuity and Leave Encashment benefits, the petitioner has not been paid the said dues. The representations of the petitioner have also not been considered by the respondent authorities till date.

The learned counsel for the petitioner submits that a direction may be issued to the respondents to examine the petitioner's claim for payment of

his retirement dues in terms of the representations and if it is found that the petitioner is eligible for the same, the respondent authorities should pay the same within a specified time period.

Mr. B. Gogoi, learned counsel for all the respondents has submitted that he has got no objection to the prayer made by the learned counsel for the petitioner.

In view of the above, the respondent no.5 is directed to examine the representation dated 30.01.2021 (Annexure-2) submitted by the petitioner and to take a decision on the same within a period of 2(two) months from the date of receipt of a certified copy of this order, which shall be accompanied by

a copy of this writ petition with all enclosures. It is needless to state that if the petitioner is found eligible, the competent authority shall release the

dues of the petitioner within 2(two) months of the decision.

The writ petition is, accordingly, disposed of, without issuing notice to the respondents.