

09.02.2021

Ct. No.13

Sl. No.59

akd

W.P.A. 2936 of 2021 [via video conference]

[Mr. Saktipada Mandal -Vs- The State of West Bengal & Ors.]

Mr. Srinjay Sengupta

Mr. Saurav Roy

Mr. Ankush Ghosh

Mr. N. Acharyya

... .. for the petitioner

Ms. Deblina Chattaraj

... .. for the respondent

West Bengal Transport Corporation

Mr. Anand Fermania

... .. for the State

Affidavit-of-service filed in Court today be taken on record.

The subject matter of this writ petition has been dealt with by a Co-ordinate Bench of this Court in its order dated 5th November, 2019 passed in W.P. No. 19746 (W) of 2019 (*Chandra Kumar Das vs. The State of West Bengal & Ors.*).

The writ petitioner seeks interest on arrears of Revision of Pay and Allowances received by him belatedly in terms of a decision of the employer WBST. The said arrears have been admittedly paid in five instalments.

By the order dated 5th November, 2019 (supra), similar claims for interest, as that of the petitioner have been upheld. On failure of the WBST to make payment within the time stipulated by the said bench, a contempt proceeding, inter alia, being CPAN 668 of 2020 arising out of W.P.A. No. 19746 of 2019 has been filed. The WBST has been granted time until 12th February, 2021 to make payment of interest to the employees.

This Court is of the view that the petitioner is similarly circumstanced and is entitled to the benefit of the order.

Counsel for the WBST, in fairness, submits that the petitioner is indeed covered by a Co-ordinate Bench order dated 5th November, 2019 (supra).

It is, therefore, ordered that the petitioner's claims towards the said interest on the arrear dues paid, should be settled by 12th March, 2021.

With the aforesaid observations, the instant writ application shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertaking.

(Rajasekhar Mantha, J.)