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16.08.2021
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

(Via Video Conference)

WPA 11564 of 2021

Tarun Kumar Shome

Vs.

Bridge & Roof Company (India) Limited & Ors.

Mr. Sudip Deb,
Mr. Riju Ghosh,
Ms. Sayantika De
... For the petitioner.

Ms. Hashnuhan Chakraborty,
Ms. Neelima Chatterjee,
Mr. Suvodeep Chakraborty
... For the respondents.

The matter was adjourned on 6th August, 2021, after recording the submissions of the parties, to enable the advocate representing the respondents to take instruction in the matter.

After hearing the respondents and the petitioner, I direct the respondents to pay interest on the amount on account of gratuity and leave encashment from 1st December, 2016 to 27th January, 2020, when the principal sums on account of gratuity and leave encashment were actually paid. The respondent shall pay interest @ 6 per cent per annum both on account of delay in making payment of gratuity and the amount of leave encashment for the period between 1st December, 2016 to 27th January, 2020. The entire payment has to be made

within a period of six weeks from the date of communication of this order. Failing which, the interest rate applicable for the delayed payment will be 10 per cent per annum and shall have to be paid from 1st December, 2016 to 27th January, 2020. Parties shall act on a server copy of the instant order without insisting upon a certified copy thereof.

Nothing further remains to be adjudicated in the writ petition and the same is accordingly disposed of without any order as to costs.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

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

(Arindam Mukherjee, J.)