

15.09.2021
Sl. No.7
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
(Via Video Conference)

WPA 12754 of 2021

Sk. Sirajuddin
Vs.
Union of India & Ors.

Mr. Jatindra Barik
.....for the petitioner.
Mr. Asis Mukherjee
.....for Union of India.
Mr. Aritra Basu,
Mr. Partha Banerjee
.....for the respondent nos.2 & 4.

The petitioner has received a sum of Rs.53,845/- on account of interest for delayed payment of the principal sum against leave encashment after the writ petition was filed. The petitioner in his representation made before the respondent nos.2, 4 and 5 had indicated that the delay in making payment is 1444 days, which has been paid. The petitioner says that it was an inadvertent error to state 1444 days' delay instead of 1475 days' delay. This fact on being pointed on 6th September, 2021 had been also recorded in the order. The petitioner is asking for interest for 31 (1475 – 1444) days from the respondent nos.2, 4 and 5 in addition to what has already been paid.

Since the petitioner's major portion of the claim has already been paid and only a paltry sum may at

the highest be paid, I think there is no need to keep this writ petition pending for the balance interest, if any.

The writ petition is, therefor, disposed of recording that the interest claimed by the petitioner for 1444 days amounting to Rs.53,845/- has been duly paid to the petitioner.

This will, however, not prevent the respondent nos.2, 4 and 5 from making payment of any further interest to the petitioner, if they so desire. Nothing further remains to be adjudicated in this writ petition.

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

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

(Arindam Mukherjee, J.)