

23. 12. 2021
BP
Sl. 47
Court No. 17

WPA 22398 of 2018

(Via Video Conference)

Tilak Ranjan Bera
Vs.
The State of West Bengal & Ors.

Mr. Indranil Chakraborty
Mr. Apurba Ghosh
..for the petitioner.

Mr. Biswabrata Basu Malick
Mr. Sanjib Das
..for the State.

The matter relates to payment of interest on delayed payment of provident fund. The petitioner says that his provident fund was paid in two installments after filing the case. The first was after one and half years from the date of his retirement and the second was after two and half years. In respect of this delayed payment, interest for six months was paid by the authority. The petitioner submits that the interest was also paid after more than three years after payment of the provident fund.

The petitioner has relied upon one Supreme Court decision as to payment of interest in the case of State of Kerala & Ors. vs. M. Padmanabhan Nair

reported in AIR 1985 SC 356.

I have also heard the learned advocate for the State who has drawn my attention to page 17 of the writ application, the letter dated 13.06.2017 written by the petitioner (though unsigned). The petitioner has taken responsibility of writing of this letter as he has used an affidavit and the respondent has submitted that it will be beneficial for all if the concerned District Inspector of Schools is directed to call for a meeting where the petitioner and also the Teacher-in-Charge of the school or the Headmaster, as the case may be, will remain present where the matter will be decided as to payment of further interest to the petitioner.

Considering the submissions of the learned advocates for the parties, I direct the concerned District Inspector of Schools to call for a meeting by inviting the petitioner and the Teacher-in-Charge/Headmaster of the school by ninety days from the date of receipt of the copy of this order and the concerned District Inspector of Schools also will have the authority to hold the meetings for more than one day for taking a decision and the decision is to be taken by four weeks after conclusion of the meeting and it will be communicated to the petitioner by two weeks thereafter. It is made clear that this order will not prevent the District Inspector of Schools and the school authority to take

steps for payment of interest to the petitioner if he is entitled to it.

The petitioner shall have the liberty to place the facts mentioned in the writ application as well as the supplementary affidavit along with the judgment delivered by the Supreme Court as referred hereinabove in the said meeting or meetings.

With the above observation, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

