

WPO/46/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

BASUDEV TIWARY

-Versus-

THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 12th March, 2021.

Appearance:

Mr. Debdutta Basu, Adv.

Mr. K. P. Santra, Adv.

...for the petitioner.

Ms. Deblina Chattaraj, Adv.

...for the State.

The Court : The petitioner has superannuated from service of the WBTC on 31st October, 2018. He has not received gratuity. By an earlier order dated 19th February, 2021, this Court had directed the WBTC to file a report by way of an affidavit as regards the availability of funds. Counsel for WBTC, on instruction, submits that the gratuity would be released once funds are made available by the State Government.

In this circumstances, it is ordered that the payment of gratuity to the petitioner shall be made within a period of two months from the date of communication of a copy of this order to both the Managing Director of WBTC as also the Secretary, Ministry of Finance, Government of West Bengal. The gratuity

payable to the petitioner shall carry interest from the date of superannuation to the date of actual payment at the rate of 6% per annum. In default of payment of the aforesaid sum within a period of two months as indicated above, the rate of interest shall stand increased to 9% per annum. The responsibility for compliance of the aforesaid order shall rest with the Secretary, Ministry of Finance, Government of West Bengal and the Managing Director of WBTC.

WPO/46/2021 is disposed of without any order as to costs.

(RAJASEKHAR MANTHA, J.)

A/s.