

ORDER SHEET
WPO/144/2021
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

DEBABRATA KUNDU
-VS-
THE STATE OF W.B. & ORS.

BEFORE:
THE HON'BLE JUSTICE RAJASEKHAR MANTHA
DATE: MARCH 26, 2021.

Mr. D. Basu, Adv., for petitioner.
Mr. N. Bhattacharyya, Adv.; Ms. D. Chatteraj, Adv., for WBTC.

The Court: The petitioner claims interest for delayed payment of his retiral benefits.

Admittedly, the petitioner retired from service on January 31, 2020. He made a representation for release of his terminal dues on March 2, 2020. The petitioner was paid his terminal dues on June 16, 2020. By representation dated November 2, 2020, the petitioner prayed for interest on delayed payment of his terminal dues.

It is now a settled position of law that terminal benefits to an employee should be paid immediately upon retirement as any delay in payment of the same could lead to serious adverse repercussions on the employee. Such retired employee does not draw or have any source of income whatsoever to sustain himself. Reference in this regard is made to a decision of the Hon'ble Supreme Court in the

case of **State of Andhra Pradesh & Anr. –vs- Dinavahi Laxmi Kameswari**, dated February 8, 2021, rendered in Civil Appeal No.399 of 2021.

The petitioner is, therefore, entitled to interest and shall be paid interest on his terminal dues from the date of his superannuation, i.e. January 31, 2020, till June 16, 2020, at the rate of 6% per annum. Let such interest be paid within a period of four months from date. In default, the rate of interest shall stand increased to 7% per annum.

With the aforesaid directions, WPO No.144 of 2021 stands disposed of. The affidavit of service, filed in Court, be kept with the records.

There will be no order as to costs.

(RAJASEKHAR MANTHA, J.)

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