

OD-3

ORDER SHEET

WPO/1438/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

HASI DATTA CHOUDHURY
-VS-
THE STATE OF WEST BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : December 22, 2021.

Appearance:

Mr. Debducta Basu, Adv. for the petitioner.

Mr. Niladri Bhattacharjee, Adv.
Ms. Deblina Chattaraj, Adv.
. . . . for WBTC Ltd.

Mr. Subhabrata Datta, Mr. Debashis Sarkar, Mr.
Paritosh Sinha, Advocates for the State.

The Court : Affidavit of service filed in Court today is taken on record.

The petitioner's husband, since deceased was a retired employee of Calcutta Tramways Company (1978) Ltd. (in short "CTC") now known as West Bengal Transport Corporation (in short "WBTC"). The petitioner claims interest on delayed payment of benefits under the Revision of Pay and Allowance Rules, 1998 (in short "ROPA 1998") to which her deceased husband was entitled to but have received the same at a belated stage.

The issue sought to be raised in the instant writ petition is squarely covered by a recent judgment and order of this Court dated 14th

September, 2021 passed in WPA 7490 of 2021 (Vivekananda Halder & Ors. v. The State of West Bengal & Ors.).

As such, this writ petition is disposed of with the similar directions as rendered in the above mentioned writ petition, which are as follows:-

The respondents shall pay interest from the date of accrual of the amounts claimed in respect of the petitioner's husband till 2008 or till the date of actual payment of such arrears, whichever is earlier, less interest, if any, already paid, at the rate of 7% per annum to the petitioner within a period of four months from the date of communication of a server copy of this order without insisting upon production of a certified copy.

In default of payment of the aforesaid interest within a period of four months, the rate of interest shall increase to 8 per cent.

There shall be no order as to costs.

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

(ARINDAM MUKHERJEE, J.)