

Ct. 05
Item No.14
04.03.2022
(suvendu)

WPA 2111 of 2022

[Via Video Conference]

Dr. Shanta Maulik
Vs.
The State of West Bengal & Ors.

Mr. Rabi Sankar Chattopadhyay
Mr. Sayan Chattopadhyay
Ms. Nitumoni Nath
Mr. Rokan Ali
Mr. Aurobinda Maji
.....for the petitioner

Mr. Amitabrata Roy
Mr. Pradip Kumar Ghosh
.....for the respondent nos. 4 & 9

Mr. Pinaki Dhole
Mr. Avishek Prasad
.....for the State

The Report filed on behalf of the concerned
College is taken on record.

The Sanction Order relating to claim of the
petitioner handed up on behalf of the State is also
taken on record.

Learned counsel appearing for the State
submits that the arrear salaries of the petitioner for
the months of April, May and June, 2013 and for
fourteen days in August and September, 2019 have
already been sanctioned and sent to the College.

It is evident from the document that the amount does not carry interest for the non-payment of the petitioner's dues from 2013 till date which comes to nine years.

The admitted facts are that the Director of Public Instruction requested the College to send the documents in March, 2015 and the College complied with such direction in April 2021. Hence there was complete inaction on the part of the College for six years. The Director of Public Instruction received the papers in April, 2021 and processed the same in February, 2022 after a period of ten months. The petitioner cannot be deprived of the interest for the delay on the part of the respondents and hence should be entitled to 6% interest on the amount which is or was due to be disbursed to the petitioner by the respondents.

The State respondents shall calculate the interest at the rate of 6% per annum on the amount due to the petitioner for the months of April to June, 2013, from 2013 till date and on account of fourteen days in the month of August and September, 2019, till date. The State shall pay $\frac{1}{3}$ rd of the said amount and the remaining $\frac{2}{3}$ rd of the said amount shall be paid by the College. The interest component shall be paid to the petitioner within four weeks from today through the Treasury Department of the State.

WPA 2111 of 2022 is disposed of in terms of the above.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)