

**MAT 812 of 2013**  
**With**  
**CAN 1 of 2014 (Old No. CAN 11450 of 2014)**

**Sankarlal Sarkar (Since deceased, represented by his  
legal heirs Ratna Sarkar & Ors.)**

**-VS-**

**Calcutta State Transport Corporation & Ors.**

*Mr. Dilip Kumar Chatterjee*  
*Mr. Durga Bhusan Mukherjee*  
*... for the appellant*

*Mr. Amal Kumar Sen*  
*Mr. Sabyasachi Mondal*  
*... for the C.S.T.C.*

*Mr. Ziaul Islam*  
*Mr. Sajal Kumar Pandi*  
*... for the State*

Party/Parties is/are represented in the order of  
their name/names as printed above in the cause title.

This is an appeal against the order passed by  
the Hon'ble Single Judge in WP 4549(W) of 2013 dated  
28.02.2013 wherein the Hon'ble Single Judge had  
directed the respondents to release all the retiral dues  
in favour of the writ petitioner within a period of six  
weeks from the date of communication of the order. In  
the event, the dues are not paid within the aforesaid  
period the respondents would be liable to pay 8 per  
cent interest on the total accumulation from the date  
of retirement till the date of final payment.

Learned Counsel for the respondents submits  
that after the order passed by the Hon'ble Single  
Judge the respondents have paid all the benefits

except the interest on gratuity.

In view of the above, the appeal is disposed of by directing the respondents to pay the interest on gratuity at the rate of 6 per cent to the appellant from the date of his retirement till the date of final payment.

The said interest shall be paid by the respondents to the appellant within a period of eight weeks from this day.

In view of the above, **MAT 812 of 2013** along with its application being **CAN 1 of 2014 (Old No. CAN 11450 of 2014)** are **disposed of**.

Since affidavits are not called for, allegations made therein are deemed to be denied.

In the cause-title of the earlier order dated 28.03.2022, the name of the appellant has been recorded as 'Shri Sankarlal Sarkar'. By an order dated 17.03.2022 the name of the appellant (since deceased) should be substituted by his legal heirs namely Ratna Sarkar & Others. Hence, in the cause-title of the order dated 28.03.2022 the name of the appellant should be "Sankarlal Sarkar (Since deceased, represented by his legal heirs Ratna Sarkar & Ors.) instead of 'Shri Sankarlal Sarkar'.

The Order dated 28.03.2022 be made a part of this order.

All parties to act on a server copy of this order

duly obtained from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

**(Krishna Rao, J.)**

**(Subrata Talukdar,J.)**