

ORDER SHEET

WPO 277 of 2022  
IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
ORIGINAL SIDE

SWAPAN KUMAR SINHA  
VS.  
THE STATE OF WEST BENGAL & ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 27<sup>th</sup> April, 2022.

Appearance:

Mr. Debdutta Basu, Adv.  
...for Petitioner.

Mr. Niladri Bhattacharjee, Adv.  
Mr. Soham Bandyopadhyay, Adv.  
Ms. Deblina Chattaraj, Adv.  
..for WBTC.

Mr. T.M. Siddiqui, Adv.,  
Mr. N. Chatterjee, Adv.  
. . . for the State.

The Court: The affidavit, as directed by the order dated 11<sup>th</sup> April, 2022 filed by the respondent no.1, is taken on record.

Although the affidavit filed today also does not clarify the queries posed by this Court after considering the previous affidavit filed on behalf of the respondents but taking a lenient view that the delay in making payment of the retiral dues being about three months, I think justice will be sub-served if I direct the respondents to pay the petitioner interest on the principal sum paid to him on account of provident fund, gratuity and leave encashment at the rate of 6 per cent per annum from 1<sup>st</sup> February, 2021 (petitioner having retired on 31<sup>st</sup> January, 2021) till the actual payment of the amounts. Although, the rate of interest in Provident Fund and Gratuity is higher than 6% but considering

the present scenario I am inclined to award only 6% interest. The interest as aforesaid shall be paid within a period of two months from date.

Although, the respondents are represented through advocates but by way of abundant caution, the petitioner is directed to communicate a server copy of this order to the respondents. Nothing further remains to be adjudicated in the writ petition.

The writ petition is, accordingly, disposed of.

(ARINDAM MUKHERJEE, J.)