

OD-5

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1077/2022

SANAKA GHOSH
Versus
THE STATE OF WEST BENGAL & ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 28th February, 2022

Mr. Debdutta Basu, Advocate for the petitioner.

Mr. Niladri Bhattacharjee, Ms. Deblina Chattaraj, Advs. for WBTC.

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

The petitioner and the proforma respondents are the nominees of the deceased 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") which is applicable to him.

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. vs. 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 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 six 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 six months, the rate of interest shall increase to 8 %.

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.)