

08.06.2023
DL-29
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11911 of 2023

Tarun Kumar Chatterjee & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Goutam Dey,
Mr. Dipendu Sarkar,
Ms. Ankita Ghosh

....for the petitioners.

Mr. Niladri Bhattacharjee,
Ms. Deblina Chattaraj,
Ms. Angana Dutta

.....for WBTCCL.

Mr. Gausal Alam,
Mr. Ranjit Rajak

....for the State.

Affidavit of service filed in Court today is retained with the records.

The writ petitioners are the employees of the West Bengal Transport Corporation Limited (in short "WBTCCL") previously known as the Calcutta Tramways Company (1978) Limited. The writ petitioners joined service on different dates. The writ petitioners are still in service.

The writ petitioners pray for disbursement of interest on the arrears of pay payable since April 1, 1997 to March 31, 2000. The writ petitioners pray for calculation of interest from April 1, 2000.

The writ petitioners claim interest on delayed payments for benefits under the Revision of Pay and Allowance Rules, 1998 (in short, 'ROPA').

The petitioners also pray for the benefits under the Office Memoranda dated June 23, 2000 and July 21, 2000. The petitioners were required to be paid the arrears by five annual instalments from November 1, 2002. The petitioners were paid the said arrears by 2008.

Mr. Sarkar, learned counsel appearing on behalf of the petitioners states that they are entitled to interest for this delay in payment of arrears. The petitioners became entitled to interest on arrears on account of delay beyond the scheduled date of payment assured under the Memorandum dated July 21, 2000.

The respondent shall pay interest from the scheduled date of payment of the annual instalments by which the arrears were promised to be paid under the Memorandum dated July 21, 2000 till the date on which they were finally paid in 2008.

Interest to be paid @ 7% per annum within a period of three months from the date of communication of this order without insisting of production of certified copy thereof.

In default of the payment of the aforesaid interest within a period of three months from date, the rate of interest shall be increased to @ 8% per annum.

Since no affidavits have been invited in the writ petition, the allegations in the writ petition be deemed not to have been admitted by the parties.

The writ petition, **WPA 11911 of 2023** is **disposed of**.

There will be no order as to costs.

All parties to act on the server copies of this order duly downloaded from the official website of this Hon'ble Court.

(Lapita Banerji, J.)