

73.
18.8.2023
S.D.

W.P.A. 16695 of 2023

**Shyamal Kumar Dey
Vs.
The State of West Bengal & Ors.**

Ms. Susmita Dey (Basu)
..For the Petitioner

Mr. Amal Kumar Sen,A.G.P.,
Mr. Sabyasachi Mondal
...For the C.S.T.C.

Mr. Sukalpa Sen
...For the State

Written instruction handed over in Court today on
behalf of the CSTC is retained with the records.

The petitioner was superannuated from service on
August 31, 2022 being a permanent employee of Calcutta State
Transport Corporation (CSTC).

The grievance of the writ petitioner is that only a sum
of Rs.11,72,000/- being 40% of the Provident Fund dues were
released to the petitioner on September 21, 2022(within a
month from the date of superannuation). However, 60% of
the Provident Fund dues of the petitioner have not been
released till date.

From the written instruction handed over in Court today by Mr. Sen, learned Additional Government Pleader, it appears that a sum of Rs.17,56,762/- being the balance Provident Fund dues, is payable to the petitioner.

Ms. Dey Basu, learned counsel appearing on behalf of the petitioner prays for interest on the delayed payment of the balance Provident Fund dues.

Considering the rival submissions of the parties and the materials placed on record, this Court directs the Secretary, CSTC Employees' Provident Fund Trust/respondent no. 6 to release the balance 60% of the Provident Fund dues within a period of three months from date. The petitioner will be entitled to interest @ 6% p.a. from September 1, 2022 (the date subsequent to the date of retirement) till the date of actual disbursement of the said amount.

With the directions aforesaid, **W.P.A. 16695 of 2023 is disposed of.**

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the petition are deemed not to have been admitted by the parties.

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)