

13.12.2023.  
Court No.13  
Item No. 14  
ap

**W.P.A. No. 26567 of 2023**

**Saraswati Ankura  
Versus  
The Durgapur Projects Limited & Ors.**

Mr. Siddhartha Sarkar.

...For the petitioner.

Mr. Anuran Samanta.

...For the DPL.

1. Affidavit-of-service filed in Court today be taken on record.

2. The petitioner's husband was an employee, who died on 18<sup>th</sup> December, 2019. The gratuity on account of her husband's service was paid on 23<sup>rd</sup> April, 2021. The petitioner also claims leave salary on account of her husband's service for 186 days.

3. Counsel for the Durgapur Projects Limited has stated that they are in deep financial crisis and have been taken over by the West Bengal State Electricity Distribution Company Limited.

4. It is well settled that delayed payment of terminal benefits creates severe and drastic financial difficulties for an employee as he has no income. It, therefore, should automatically attract interest.

5. In those circumstances, interest at the rate of six percent per annum shall be paid for the period from 19<sup>th</sup> December, 2019 till 23<sup>rd</sup> April, 2021 on the gratuity amount of Rs.5,21,998/- within a period of two months from date. Leave salary for 186 days shall,

however, be paid within a period of two months as well. The said quantum of leave towards leave salary shall carry interest from 19<sup>th</sup> December, 2023 till the date of actual payment.

6. With the aforesaid directions, the instant writ petition shall stand disposed of.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

***(Rajasekhar Mantha, J.)***