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03.08.2023
Ct. No.2
b.das

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA No. 688 of 2023

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CAN 1 of 2023

Alok Bikash Mitra

Vs.

The State of W.B. & Ors.

Mr. Debayan Goswami

Mr. Reshab Kumar

...for the petitioner.

Mr. Bikramaditya Ghosh

Ms. Bedashruti Bose

..for the State.

CAN 1 of 2023

The applicant prays for her substitution in place of the petitioner, who expired during pendency of the writ petition.

The application has been filed within the statutory period of time.

The application being CAN 1 of 2023 is allowed.

The cause title of the writ petition be amended accordingly.

WPA No. 688 of 2023

Heard learned counsels for the parties.

The petitioner was employed with Himalayan Co-operative Milk Producer's Union Ltd. and superannuated on 30th April, 2012. The gratuity was disbursed in favour of the petitioner on 1st

April, 2018. The petitioner has prayed for interest on the gratuity amount due to delay in disbursal of the same.

Upon consideration of the submission made on behalf of the parties and material on record, the respondents concerned are directed to pay interest to the petitioner @ 8% per annum on the gratuity amount calculated from 1st May, 2018 till the date of actual payment of the amount. Such payment be made within one month from the date of communication of this order.

With the above observations and directions the writ petition is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)