

Sl No.24
05.06.2023.
SB-III
skc

In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

WPA 1062 of 2023
ANANDA SARKAR
VERSUS
THE STATE OF WEST BENGAL & ORS.

Mr. Anirban Banerjee,Adv.

...for petitioner.

Mr. Hirak Barman,Adv.

Mr.Pretom Das,Adv.

...for State.

Affidavit of service filed by the petitioner in Court today is kept with the record.

The petitioner has filed the instant writ application praying for grant of interest for delay in payment of gratuity. The petitioner has retired from service on 31st January, 2021 but the authorities have released the gratuity to the petitioner only on 10th August, 2022.

Counsel for the petitioner submits that there is a delay of more than one year for release of gratuity and, as such, the petitioner is

entitled to get interest for delay in payment of gratuity.

Counsel for the respondent submits that though the petitioner was retired on 31st January, 2021 and the gratuity was released on 10th August, 2022 but the petitioner has not made any representation for grant of interest as claimed by the petitioner.

Considered the prayer made by the respective parties, this Court finds that no purpose should be served by keeping the writ petition pending and, accordingly, WPA No. 1062/2023 is disposed of by giving liberty to the petitioner to apply before the concerned authority, i.e. the District Inspector of Schools, Primary Education, Jalpaiguri for grant of interest for delay in payment of gratuity within a week from date and if any representation is made by the petitioner for grant of interest, the concerned authority shall dispose of the said representation by granting interest in accordance with law within two weeks thereafter.

(Krishna Rao, J.)