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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO 3147 OF 2022

IN THE MATTER OF:
SABRA KHATUN
VS.
M/S. EASTERN COAL FIELDS LTD. AND ORS.

BEFORE:

The Hon'ble JUSTICE LAPITA BANERJI

Date : 24th March, 2023.

Appearance:-

Mr. Partha Ghosh, Adv.

Mr. Amal Kumar Datta, Adv.

Ms. Simran Sureka, Adv.

Mr. Debashis Das, Adv.

Mr. Rahul Agarwala, Adv.

For petitioner

Mr. Kallol Guha Thakurata, Adv.

Md. Wasim Rahaman, Adv.

For respondent no.8

Mr. Syed Nurul Arefin

For the ECL Authorities

The Court:- The petitioner's husband died in harness on June 14, 2021 being an employee of Eastern Coal Fields Limited (in short, ECL).

During the pendency of the writ petition, the petitioner has been paid the gratuity amount. The petitioner has also been given the provident fund dues and also pensionary benefits. The said amount of gratuity was paid on February 7, 2023 during the pendency of the writ petition.

Mr. Ghosh, learned counsel appearing on behalf of the petitioner prays for interest on the delayed payment of gratuity amount.

Mr. Guha Thakurata, learned counsel appears on behalf of the respondent no.8/Coal Mines Provident Fund Organization (CMPFO).

Since the gratuity amount has already been paid to the petitioner belatedly, this Court directs interest at the rate of 6% per annum to be granted to the petitioner from June 15, 2021 (being the date subsequent to the date of death of the petitioner's husband) till February 23, 2023 (the date on which the actual payment was disbursed to the petitioner). Such interest will be paid to the petitioner within eight weeks from the date of the order.

With the directions aforesaid, **WPO 3147 of 2022 is disposed of.**

Since there are no directions for affidavit passed in the present writ petition, all the allegations contained therein are deemed not to have been admitted by the parties.

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

(LAPITA BANERJI, J.)

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