

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

12. 09. 2024

BP
SL. 154
Court No. 14

WPA 152 of 2024
With
CAN 1 of 2024

Manish Majumdar
Vs.
The State of West Bengal & Ors.

Mr. R. Guha Thakurta
Mr. S. Sengupta
Mr. P.B. Maity
..for the applicant/petitioner

Mr. Rajib Mukherjee.
Ms. Shreyasi Bhaduri
..for the Bhatpara Municipality

Re: CAN 1 of 2024

This is an application seeking modification of the order passed by the Court on 24th April, 2024. The writ petition was filed by a retired employee of the Bhatpara Municipality claiming interest on account of delayed payment of gratuity. The Court disposed of the writ petition by directing the Municipality to pay interest @ 7% per annum on the gratuity amount.

Learned advocate for the petitioner submits that in similar matters the Court disposed of the writ petition by granting interest @ 10% per annum along with additional 3% interest per annum if the amount is not

disbursed within a period of eight weeks from the date of the order.

It appears that the petitioner stands in the same footing as that of the petitioner in WPA 24417 of 2023 (Suvasis Roy vs. the State of West Bengal & Ors.). There is no reason as to why the rate of interest will be different in respect of the parties.

It has been submitted by the learned advocate for the petitioner that the order passed by the Court in the matter of Suvasis Roy (supra) has been complied with.

In view of the above, the application for modification stands allowed.

It has been submitted by the learned advocate for the petitioner that 7% interest has already been disbursed in favour of the petitioner within the time specified by the Court.

In view of the above, let 3% additional interest be paid to the petitioner within a period of eight weeks from the date of communication of this order.

In the event 3% additional interest is not paid within the time limit stipulated hereinabove then further interest of 3% per annum shall be paid to the petitioner on and from the date of communication of this order to the date of actual payment.

The application for modification stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties or their advocates on record expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)

