

25.01.2024.
Court No.13
Item No. 40
ap

W.P.A. No. 305 of 2024

Rudradeb Chakraborty
Versus
The Durgapur Projects Limited & Ors.

Mr. Siddhartha Sarkar.

...For the petitioner.

Mr. S. S. Koley.

...For the DPL.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner superannuated from service on 30th November, 2019. The gratuity on account of the petitioner's service was paid on 31st August, 2021. The petitioner also claims leave salary on account of his service for 300 days.
3. Counsel for the Durgapur Projects Limited has stated that they are in deep financial crises 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 1st December, 2019 till 31st August, 2021 on the gratuity amount of Rs.6,46,865/- within a period of four months from date. Leave salary for 300 days shall,

however, be paid within a period of four months as well. The said quantum of leave towards leave salary shall carry interest from 1st December, 2019 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.)