

25.01.2024.
Court No.13
Item No. 43
ap

W.P.A. No. 320 of 2024

**Shilabati Das
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 31st March, 2023. Two of her terminal benefits, namely, leave encashment for 214.5 days and the principal amount of gratuity of Rs.5,83,033/- have not been paid till date.
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 she has no income. It, therefore, should automatically attract interest.
5. In those circumstances, the gratuity amount shall be paid to the petitioner with six per cent interest mandatorily and positively within a period of four months from date. In default of payment within four

months as indicated hereinabove, the rate of interest shall stand increased to ten per cent.

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.)