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06.05.2024
d.p.

**In The High Court At Calcutta
Constitution Writ Jurisdiction
Appellate Side**

W.P.A. 2216 of 2024

**Ujjwal Biswas
-versus
The State of West Bengal & Ors.**

**Mr. Soumya Majumder,
Ms. Sanjukta Dutta.
...For the Petitioner.**

**Mr. Swapan Majumdar,
Mr. Saptarshi Majumdar.
...For the Municipality.**

The petitioner retired from the service of the Nabadwip Municipality on attaining his normal age of superannuation on 30th September, 2021. He has received his terminal benefits partly, however, at a delayed date. The benefit under ROPA 2019 is yet to be disbursed.

Because of the delay in releasing his pension, there are arrears of pension which are required to be disbursed. The gratuity has also not been paid in full.

The due of the petitioner, till the date of filing the writ petition, is annexed at page 68 of the writ petition.

The Municipality being the principal employer of the petitioner is liable to pay his legal dues without any further delay.

As there has been delay in releasing the terminal dues, the petitioner will be entitled to receive the dues

along with interest calculated @7% per annum on and from the date the amount fell due till the date of actual payment.

In the event the amount is not paid by 31st August, 2024, the petitioner will be entitled to receive the amount with additional interest of 2% i.e. 7% + 2% = 9% per annum on from the due date till the date of actual payment.

Learned advocate appearing for the petitioner is directed to forward a copy of the calculation annexed at page 68 of the writ petition to the Municipality at the time of communicating the order of the Court.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)