

42
06.05.2024
d.p.

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

W.P.A. 5355 of 2024

**Dr. (Mrs.) Ishani Dasgupta
-versus
The State of West Bengal & Ors.**

**Ms. Debanwita Pramanik
...For the Petitioner.**

**Mr. Sandipan Banerjee,
Mr. Sobhan Majumder.
...For HMC.**

**Mr. Sumon Dey,
Ms. Priya Ghosal.
...For the State.**

The petitioner, a retired employee of Durgapur Municipal Corporation, is receiving her provisional pension. She prays for full and final settlement of her terminal dues.

Learned advocate appearing for the State respondents submits that approval of appointment of the petitioner was not furnished by the Municipality.

Learned advocate appearing for the Municipality submits that all documents in connection with the service of the petitioner were duly forwarded to the office of the DPPG.

The Corporation is directed to follow up the matter with the DPPG to ensure that the terminal dues of the petitioner is disbursed at the earliest, but positively by 31st August, 2024.

The office of the DPPG is directed to do the needful so that the retired employee receives her dues without any further delay.

The arrear pension and the full and final payment of the gratuity amount shall also be disbursed at the earliest.

As the petitioner was entitled to receive her dues immediately upon retirement but the same has been held back and she will receive the same at a delayed point of time, accordingly, the petitioner shall be entitled to receive the due amount along with interest @7% per annum to be calculated on and from the due date till the date of actual payment.

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

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.)