

30-04-2024
ct no. 13
Sl. 104
ap

WPA 7595 of 2024

Samir Deb

-Versus-

The State of West Bengal & Ors.

Ms. Susmita Dey (Basu)

..for the petitioner

Mr. N.C. Bihani,
Mr. Soumyajit Ghosh.

...for the CSTC

1. Despite service of notice, the State respondents are not presented. Affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.

2. The learned Advocate for the petitioner submits that the petitioner retired from service on 31.03.2023 from CSTC as Conductor.

3. The petitioner claims interest on delayed payment of Provident Fund and Gratuity.

4. It is now well-settled that the delayed payment of terminal benefits causes immense hardship to an employee.

5. In the above circumstances, this Court directs the respondents to pay 6% interest on the entire amount of the delayed payment of Gratuity and 25% of Provident Fund amount which have already been paid, from the date of retirement till the actual date of payment. The balance 75% of Provident Fund shall also be paid within a period of 45 days from date, mandatorily and positively together with 6% interest from the date of retirement till the actual date of payment.

6. The concerned respondent shall verify as to whether the petitioner is present in person along with the documents of identity before making any disbursement as directed hereinabove. In the event the petitioner is not present, the matter shall be reported to the Registrar General of this Court for appropriate action.

7. With the aforesaid directions, the instant writ petition shall stand disposed of.

8. There will be no order as to costs.

9. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)