

17.09.2024
Sl. No.25
Srimanta

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8238 of 2024

Kanchan Sen
Vs.
Calcutta State Transport Corporation
(WBTC) & Ors.

Mr. Dilip Kumar Chatterjee,
Mr. Durga Bhusan Mukherjee
....for the petitioner.

Mr. N.C. Bihani,
Mr. Soumya Mukherjee
....for the C.S.T.C.

Mr. Niladri Bhattacharjee,
Ms. Deblina Chattaraj,
Ms. Priyanka Kundu
....for W.B.T.C.

Affidavit-of-service filed in Court today be kept
with the record.

The petitioner retired from services of Calcutta
State Transport Corporation (in short, CSTC) on
30.09.2023. The retiral benefits of the petitioner
was paid in tranches. The leave salary was paid on
17.10.2023. The gratuity amount of Rs.
10,74,901/- was paid on 19.01.2024. The
petitioner was paid 20% of the provident fund
amount to the tune of Rs.5,48,000/- on
17.10.2023. Petitioner claims interest on such

delayed payments and the unpaid principal sum of his retiral benefits with interest.

In the aforesaid facts and circumstances, after hearing the parties and considering the materials on record, I find that the petitioner is entitled to receive interest on the gratuity amount of Rs. 10,74,901/- from 01.10.2023 till 19.01.2024 at the rate of 6% per annum. The CSTC is directed to pay 80% of the unpaid provident fund amount with interest from 01.10.2023 until the actual payment thereof @ 6% per annum, failing which the entire sum will attract interest @ 8% per annum. The payment of the principal as also the interest shall be made within a period of three months from the date of communication of a server copy of this order failing which the interest rate will increase to 8% per annum.

Nothing further remains to be adjudicated in this writ petition. The same is accordingly disposed of.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

All parties including the CSTC shall act on the basis of the server copy of this order without insisting upon production of a certified copy thereof.

(Arindam Mukherjee, J.)