

09.07.2024

Ct. 23

D/L 74

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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 9761 of 2024

Gouri Banerjee

-Vs-

The State of West Bengal & Ors.

Ms. Susmita Dey (Basu)

... for the petitioner

Mr. N. C. Bihani,
Ms. P. B. Bihani,
Mr. S. Mukherjee

... for the CSTC

Affidavit of service filed in Court today is taken on record.

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on 31st December, 2021. The retiral benefits of the petitioner were paid in tranches. The leave salary aggregating to Rs. 3,88,632/- was paid on 16th March, 2022. The gratuity amount of Rs. 12,00,000/- was paid on 16th March, 2022. The petitioner was paid 40% of the provident fund to the tune of Rs. 19,60,000/- on 1st February, 2022 and 60% of the provident fund to the tune of Rs. 29,39,129 on 29th July, 2022. Petitioner claims interest on such delayed payments.

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 leave salary of Rs. 3,88,632/- from 1st January, 2022 till 16th March, 2022, on the gratuity amount of Rs. 12,00,000/- from 1st January, 2022 till 16th March, 2022 and on Rs. 19,60,000/- paid on account of 40% of the provident fund from 1st January, 2022 till 1st February, 2022 and Rs. 29,39,129/- paid on account of 60% of the provident fund from 1st January, 2022 till 29th July, 2022 at the rate of 6% 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.

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.)