

17.09.2024
Sl. No.38
Srimanta

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10716 of 2024

Kalyan Kumar Chakraborty
Vs.
The State of West Bengal & Ors.

Mr. Manas Kumar Ghosh,
Ms. Susmita Dey (Basu)

....for the petitioner.

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

....for the C.S.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
31.08.2023. The retiral benefits of the petitioner
was paid in tranches. The leave salary was paid in
time. The gratuity amount was paid in time. The
petitioner was paid 25% of the provident fund
amount to the tune of Rs.5,43,000/- on
22.09.2023. These payments have been made in
time and as such attract no interest. Petitioner
claims the unpaid principal sum on account of
provident fund with interest.

In the aforesaid facts and circumstances, after hearing the parties and considering the materials on record, I direct the CSTC to pay 75% of the unpaid provident fund amount with interest from 01.09.2023 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.)