

24.04.2024.
Court No.13
Item No. 39
sp

W.P.A. No. 11095 of 2024

Tarun Kumar Giri
Versus
The Durgapur Projects Limited & Ors.

Mr. Siddhartha Sarkar,
Mr. Hirak Roy

...For the petitioner.

Mr. Sujit Sankar Koley
...For the Durgapur Projects Limited.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner superannuated from service on 28th February, 2022. The gratuity on account of the petitioner's service was paid on 22nd October, 2023. The petitioner also claims leave salary on account of his service for 220 days.
3. Counsel for the Durgapur Projects Limited has stated that they are in deep financial crisis and have been taken over by the West Bengal State Electricity Distribution Company Limited.
4. It is well settled that delayed payment of terminal benefits creates severe and drastic financial difficulties for an employee as he has no income. It, therefore, should automatically attract interest.
5. In those circumstances, interest at the rate of six percent per annum shall be paid for the period from 1st March, 2022 till 22nd October, 2023 on the the gratuity amount of Rs. 6,43,774/- within a period of four months from date. Leave salary for 220 days

shall, however, be paid within a period of four months as will. The said quantum of leave towards leave salary shall carry interest at the rate of 6% from 1st March, 2022 till the date of actual payment.

6. Any dues payable by the employee, inter alia, for overstaying quarters shall be deducted from the sums payable to him.

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

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)