

09.07.2024
Ct. 23
D/L 109
ab

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

WPA 12818 of 2024

**Md. Shahid
-Vs-
The State of West Bengal & Ors.**

Mr. Srinjay Sengupta,
Mr. Sourav Roy,
Mr. Narattam Acharyya,
Mr. Ankush Ghosh

... for the petitioner

Mr. Niladri Bhattacharjee,
Ms. Angana Dutta

... for the WBTC

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

The petitioner retired from services of Calcutta Tramways Company (1978) Ltd.(in short, CTC) now known as West Bengal Transport Corporation Ltd. (in short, WBTC) on 31st December, 2019. The petitioner was paid his retiral benefits of Rs. 16,82,533 on account of provident fund on 8th April, 2020 and Rs. 10,74,518/- on account of gratuity and leave salary on 20th April, 2020. The petitioner is seeking interest on the delayed payment of his retiral benefits.

Although the petitioner had received his retiral benefits on 8th April, 2020 and 20th April, 2020 and has filed the instant writ petition on 2nd May, 2024 but

considering the benefit of limitation given between the period from 15th March, 2020 and 28th February, 2022 on account of pandemic, the delay in approaching the Court for service related claim in the instant case is ignored and the WBTC is directed to pay interest on the retiral benefits of Rs. 16,82,533/- on account of provident fund from 1st January, 2020 till 7th April, 2020 and on Rs. 10,74,518/- on account of gratuity and leave salary from 1st January, 2020 till 19th April, 2020 at the rate of 6% per annum within a period of three months from the date of communication of a server copy of this order failing which the principal sum of Rs. 27,57,051/- shall attract interest @ 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 WBTC shall act on the basis of the server copy of this order without insisting upon production of a certified copy thereof.

(Arindam Mukherjee, J.)