

16.07.2024
Ct. 23
D/L 104
ab

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

WPA 16217 of 2024

**Nitai Lal Sil
-Vs-
State of West Bengal & Ors.**

Ms. Susmita Dey (Basu)

... for the petitioner

Mr. N. C. Bihani,
Mr. S. Ghosh
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 January, 2023. The retiral benefits of the petitioner were paid in tranches. The leave salary aggregating to Rs. 3,77,588/- was paid on 11th May, 2023. The gratuity amount of Rs. 11,52,333/- was paid on 10th May, 2023. The petitioner was paid Rs. 8,25,000/- on account of provident fund on 18th February, 2023 and Rs.24,75,267/- on account of second instalment of provident fund on 7th August, 2023. 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. 3,77,588/- from 1st February, 2023 till 11th May, 2023, on the gratuity amount of Rs. 11,52,333/- from 1st February, 2023 till 10th May, 2023 and on Rs. 8,25,000/- paid on account of provident fund from 1st February, 2023 till 18th February, 2023 and Rs.24,75,267/-on account of second instalment of provident fund from 1st February, 2023 till 7th August, 2023 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.)