

16.07.2024
Ct. 23
D/L 112
ab

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

WPA 16572 of 2024

**Krishna Mohan Sharma
-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
Ms. Tanusri Chanda	... for the State

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 January, 2019. The petitioner was paid his retiral benefits of Rs. 14,70,909/- on account of provident fund, gratuity and leave salary on 17th May, 2019 and Rs. 15,13,419/- on account of 2nd instalment of Provident fund on 11th June, 2019. The petitioner is seeking interest on the delayed payment of his retiral benefits.

Although the petitioner had received his retiral benefits on 17th May, 2019 and 11th June, 2019 and has filed the instant writ petition on 27th June, 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. 14,70,909/- on account of provident fund, gratuity and leave salary from 1st February, 2019 till 17th May, 2019 and on Rs. 15,13,419/- on account of 2nd provident fund from 1st February, 2019 till 11th June, 2019 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. 29,84,328/- 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.)

