

16.07.2024
Ct. 23
D/L 123
ab

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

WPA 16592 of 2024

**Madan Chowdhury
-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. Priyanka Kundu

... 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 January, 2019. The petitioner was paid his retiral benefits on 3rd October, 2019. The petitioner is seeking interest on the delayed payment of his retiral benefits.

Although the petitioner had received his retiral benefits on 3rd October, 2021 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. 35,52,331/- from 1st February, 2019 till 2nd October, 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. 35,52,331/- shall attract interest @ 8% per annum.

Nothing further remains to be adjudication 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.)