

17.09.2024
Sl. No.66
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 16647 of 2024

Tarak Banik
Vs.
State of West Bengal & Ors.

Ms. Susmita Dey (Basu)
.....for the petitioner.

Mr. Soumyajit Ghosh,
Mr. Soumya Mukherjee,
Mr. Moulinath Moitra
.....for 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 29th
February, 2024. The retiral benefits of the petitioner
was paid in tranches. The leave salary aggregating to
Rs.2,44,000/- was paid on 10th May, 2024. The
petitioner was paid 20% of the provident fund
amount to the tune of Rs.5,72,000/- on 28th March,
2024. Petitioner claims interest on such delayed
payments. The petitioner also says that gratuity
amount was not paid to him **and claims release of**
his unpaid provident fund amount and the
unpaid gratuity amount with interest.

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.2,44,000/- from 1st March, 2024 till 10th May, 2024, on Rs.5,72,000/- paid on account of provident fund from 1st March, 2024 till 28th March, 2024 at the rate of 6% per annum. The CSTC is directed to pay gratuity amount along with interest and 80% of the unpaid provident fund amount **to the petitioner** with interest from 1st March, 2024 until the actual payment thereof @ 6% per annum, failing which the entire sum will attract interest @ 8% 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, **in default the interest rate will be 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 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.)