

17.09.2024
Sl. No.71
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 17196 of 2024

Sukdeb Nandi
Vs.
State of West Bengal & Ors.

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

Mr. Amal Kumar Sen,
Mr. Sabyasachi Mondal
.....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 31st
March, 2024. The leave salary and gratuity were not
paid to the petitioner. The petitioner was paid only
20% of the provident fund to the tune of
Rs.7,17,000/- on 26th April, 2024. Petitioner claims
unpaid provident fund amount, gratuity and leave
salary with 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 Rs.7,17,000/- paid on account of
provident fund from 1st April, 2024 till 26th April,
2024 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. The CSTC is directed to pay gratuity, leave salary and 80% of the unpaid provident fund amount with interest from 1st April, 2024 until the actual payment thereof @ 6% per annum, failing which the entire sum will 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 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.)