

24.09.2024
Sl. No.82
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 19138 of 2024
Uttam Kundu
Vs.
State of West Bengal & Ors.

Mr. Bharat Ch. Simai,
Mr. Somesh Panja

....for the petitioner.

Affidavit of service filed in Court today is taken on record.

Despite service, none appears on behalf of Calcutta State Transport Corporation.

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on 31st January, 2020. The retiral benefits of the petitioner were paid in tranches. The petitioner was paid 1st instalment of Contributory Provident Fund (CPF) to the tune of Rs.9,34,000/- on 28th February, 2020 and the 2nd instalment of Contributory Provident Fund (CPF) to the tune of Rs.14,00,621/- on 18th May, 2020. The gratuity amount of Rs.9,53,492/- was paid on 30th July, 2020. The leave salary aggregating to Rs.2,79,600/- was paid on 28th July, 2020. Petitioner claims interest on such delayed payments on account of leave salary, gratuity and the CPF.

The first tranches of CPF amount was paid within one month from the date of petitioner's retirement and as such the said sum does not attract any 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 2nd instalment of CPF amount of Rs.14,00,621/ from 1st February, 2020 till 18th May, 2020, on the gratuity amount of Rs.9,53,492/- from 1st February, 2020 till 30th July, 2020 and on the leave salary amount of Rs.2,79,600/- from 1st February, 2020 till 28th July, 2020 at the rate of 6% per annum.

The CSTC is directed to pay the interest @ 6% per annum within a period of three months from the date of communication of a server copy of this order without insisting upon production of a certified copy thereof, failing which the interest rate will increase to 9% 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.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Arindam Mukherjee, J.)