

24.09.2024
Ct. 23
D/L 117
ab

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

WPA 20777 of 2024

**Subhas Kumar Chanda
-Vs-
The State of West Bengal & Ors.**

Mr. Srinjay Sengupta, Mr. Narattam Acharyya,	... for the petitioner
Ms. Deblina Chattaraj, Ms. Priyanka Kundu	... for the WBTC
Mr. Sanjib Das	... 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 March, 2021. The petitioner was paid his retiral benefits of Rs. 11,49,242 on account of gratuity and leave encashment and other dues on 23rd June, 2021 and Rs. 15,39,491/- on account of Provident Fund on 30th June, 2021. The petitioner is seeking interest on the delayed payment of his retiral benefits.

Although the petitioner had received his retiral benefits on 23rd June, 2021 and 30th June, 2021 and has filed the instant writ petition on 14th August, 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. 11,49,242/- on account of gratuity and leave encashment and other dues from 1st April, 2021 till 22nd June, 2021 and on Rs. 15,39,491/- on account of Provident Fund from 1st April, 2021 till 29th June, 2021 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. 26,88,733/- 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.)

