

24.09.2024
Sl. No. 140
Srimanta

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21360 of 2024

Chinmay Barua
-Vs.-
The State of West Bengal & Ors.

Mrs. Susmita Dey (Basu)

....for the petitioner.

Mr. Pantu Deb Roy,
Mr. Sanatan Panja

...for the State.

Affidavit-of-service filed in Court today be kept
with the record.

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on 31.10.2023. The retiral benefits of the petitioner was paid in tranches. The leave salary to the tune of Rs. 4,01,772/- was paid on 24.04.2024. The gratuity amount to the tune of Rs. 12,00,000/- was paid on 25.01.2024. The petitioner was paid 20% of the provident fund amount to the tune of Rs.8,36,000/- on 24.11.2023 which is in time. Petitioner claims interest on such delayed payments on account of leave salary, gratuity and the unpaid principal sum on account of provident fund 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. 4,01,772/- from 01.11.2023 till 24.04.2024 and on the gratuity amount of Rs. 12,00,000/- from 01.11.2023 till 25.01.2024 at the rate of 6% per annum. The CSTC is also directed to pay the unpaid provident fund amount with interest from 01.11.2023 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 failing which the interest rate will increase to 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.)