

24.09.2024
Sl. No. 146
Srimanta

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21692 of 2024

Asraf Mondal
-Vs.-
The State of West Bengal & Ors.

Mrs. Susmita Dey (Basu)

....for the petitioner.

Mr. Amal Kumar Sen,
Mr. Sabyasachi Mondal

....for the C.S.T.C.

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on 30.06.2023. The retiral benefits of the petitioner was paid in tranches. The gratuity amount was paid in time. The petitioner was paid 25% of the provident fund amount to the tune of Rs.5,59,000/- on 20.07.2023 which is also in time. These payments have been made in time and as such attract no interest. The leave salary to the tune of Rs. 2,49,132/- was paid on 09.08.2023. Petitioner claims interest on the delayed payments on account of leave salary and the unpaid 75% 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. 2,49,132/- from 01.07.2023 till 09.08.2023 at the rate of 6% per annum. The CSTC is also directed to pay unpaid 75% provident fund amount with interest from 01.07.2023 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.)