

24.09.2024
Sl. No. 164
Srimanta

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 22552 of 2024

Smt. Basanti Duary
-Vs.-
The State of West Bengal & Ors.

Mr. Arkadyuti Neogi,
Mr. Ratikanta Pal

....for the petitioner.

Mr. N. C. Bihani,
Mr. Soumyajit Ghosh,
Mr. Soumya Mukherjee,
Mr. Moulinath Moitra

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

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on 31.01.2024. The retiral benefits of the petitioner was paid in tranches. The gratuity amount to the tune of Rs. 8,54,446/- was paid on 17.05.2024. The leave salary amount to the tune of Rs. 2,46,360/- was paid on 10.05.2024. The petitioner was paid 20% of the provident fund amount to the tune of Rs.4,78,000/- on 28.03.2024. Petitioner claims interest on the delayed payments on account of gratuity, leave salary, 20% of the provident fund and the unpaid 80% 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 gratuity amount to the tune of Rs. 8,54,446/- from 01.02.2024 to 17.05.2024, on the leave salary to the tune of Rs. 2,46,360/- from 01.02.2024 till 10.05.2024 and on the 20% of the provident fund amount to the tune of Rs. 4,78,000/- from 01.02.2024 till 28.03.2024 at the rate of 6% per annum. The CSTC is also directed to pay unpaid 80% provident fund amount with interest from 01.02.2024 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.)