

24.09.2024
Sl. No. 179
Srimanta

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 22645 of 2024

Sanjib Kumar Midya
-Vs.-
The State of West Bengal & Ors.

Mrs. Susmita Dey (Basu)

....for the petitioner.

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

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

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 31.08.2023. The retiral benefits of the petitioner was paid in tranches. The leave salary to the tune of Rs. 3,99,864/- was paid on 09.10.2023. The gratuity amount to the tune of Rs. 12,00,000/- was paid on 26.11.2023. The petitioner was paid 25% of the provident fund amount to the tune of Rs.9,04,000/- on 25.09.2023 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. 3,99,864/- from 01.09.2023 till 09.10.2023 and on the gratuity amount of Rs. 12,00,000/- from 01.09.2023 till 26.11.2023 at the rate of 6% per annum. The CSTC is also directed to pay 75% of the unpaid provident fund amount with interest from 01.09.2023 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.)