

16.04.2024.
Court No. 13
Item no. 16.
sp

W.P.A. No. 22330 of 2023

Kamalesh Chandra Roy
Versus
State of West Bengal & Ors.

Mr. Arun Kumar Paul
..for the petitioner

Mr. Arjun Roy Mukherjee
..for the State

Mr. S. Alam
..for the respondent no. 5

1. The petitioner prayed for interest on delayed payment of gratuity of Rs. 1,54,719/-. The petitioner superannuated from service on January 31, 2013.
2. The gratuity was released to him on January 3, 2023, i.e., after delay of 10 years 8 months 22 days. The petitioner, therefore, be entitled to interest since delayed payment of terminal benefits automatically attract interest not only under the Payment of Gratuity Act but also under the general law of the land.
3. In those circumstances, this Court directs the respondent no. 4, DPPG, Government of West Bengal to pay interest @ 7% on the said sum of Rs. 1,54,719/- for the period of 10 years 8 months and 22 days, within a period of 45

days from date. In default, the rate of interest shall increase @ 9%.

4. With the aforesaid directions, the instant writ petition shall stand disposed of.
5. There will be no order as to costs.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)