

29.02.2024
Court No. 13
Item No. 103
sp

WPA 28091 of 2023

Maheswar Dash
Vs.
The State of West Bengal and Ors.

Mr. Tapan Dutta Gupta,
Mr. Parvej Anam

.... For the Petitioner.

Mr. Ankita Mondal

...for the State

Mr. Niladri Bhattacharjee,
Ms. Deblina Chattaraj

.... For the Respondent Corporation.

1. The petitioner prays for interest on delayed payment on the retiral benefits.

2. It is now well-settled that the retiral benefits are required to be paid immediately as the employee has no source of income after employment.

3. The petitioner superannuated on 31.01.2021. Retiral benefits were paid on three tranches. On 06.04.2021, Rs.15,77,791/- was paid, on 07.04.2021, Rs.11,48,472/- was paid and on 08.04.2021 Rs.18,24,748.43/- was paid.

4. The petitioner is, therefore, entitled to interest at the rate of 7% per annum for the period of 2 months 6 days on the total sum of Rs.15,77,791/- and for the period of 2 months 7 days on the total sum of Rs.11,48,472/- and for the period of 2 months 8 days on total sum of Rs. 18,24,748.43/-.

5. Let the interest be paid to the petitioner for the aforesaid period by 31st March, 2024. In default of payment as indicated hereinabove, the rate of interest shall stand increased to 11% per annum.

6. With the aforesaid directions, the writ petition is disposed of.

7. There shall be no order as to costs.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)