

29.02.2024
Court No. 13
Item No. 107
pk

WPA 28096 of 2023

**Swapan Kumar Saha
Vs.
The State of West Bengal and Ors.**

Mr. Tapan Dutta Gupta,
Mr. Parvej Anam

.... For the Petitioner.

Mr. Niladri Bhattacharjee
Ms. Deblina Chattaraj

.... For the Respondent Corporation.

Mr. Bhakti Prasad Das

... For the State.

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 31.07.2018. Retiral benefits were paid on three tranches. On 01.11.2018 Rs.10,84,677/- was paid, on 03.11.2018 Rs.12,34,304/-/- was paid and on 05.11.2018 Rs.10,84,680.71/- was paid.

4. The petitioner is, therefore, entitled to interest at the rate of 7% per annum for the period of 3 months 1 day on the total sum of Rs.10,84,677/-, for the period of 3 months 3 days on the total sum of Rs.12,34,304/- and for the period of 3 months 5 days on the total sum of Rs.10,84,680.71/-.

5. Let the interest be paid to the petitioner for the aforesaid period by 31.03.2024. 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.)