

29.02.2024
Court No. 13
Item No. 111
ap

WPA 28101 of 2023

**Nikhil Chandra Das @ Nikhil Ch. Das
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.

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 from service on 30.11.2018. Retiral benefits were paid on three tranches. Rs.4,30,207/- was paid on 09.01.2019, Rs.11,19,994/- was paid on 13.02.2019 and Rs.7,74,436.04/- was paid on 14.02.2019.

4. The petitioner is, therefore, entitled to interest at the rate of 7% per annum for the period of 1 month 09 days on the total sum of Rs.4,30,207/-, for the period of 2 months 13 days on the total sum of Rs.11,19,994/- and for the period of 2 months 14 days on the total sum of Rs.7,74,436.04/-.

5. Let the interest be paid to the petitioner for the aforesaid period by March 28, 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.)