

Court No. 2
09.7.2024
(Item No. 29)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 28734 of 2023

Jagadish Bachar
VS
The Regional Provident Fund Commissioner-II & Ors.

Mr. Tauhid Khan
.... For the petitioner
Ms. Aparna Banerjee
.... For respondent Nos. 1 & 2
Ms. Bipasha Jaiswal
.... For respondent Nos. 3 & 4
Ms. Sneha Singh
.... For respondent No. 5

Mr. Tauhid Khan, learned advocate appears for the petitioner.

Ms. Aparna Banerjee, learned advocate appears for respondent Nos. 1 and 2.

Ms. Bipasha Jaiswal, learned advocate appears for respondent Nos. 3 and 4, the employer Company.

Today, Ms. Aparna Banerjee, learned advocate files a report in the form of affidavit affirmed on July 5, 2024, the same is taken on record. Copy has already been served upon the petitioner. The report shows that, the Provident Fund authority had released a sum of **Rs.87,232/-** to the petitioner for the period between **July 1, 2020** and **May 31, 2024**. She has further submitted that, the Provident Fund department has received the pension claim form submitted by the employer company on **June 4, 2024** and the Pension Payment Order has been issued in

favour of the petitioner on **June 5, 2024** and the arrear pension was paid to the petitioner and received by the petitioner on **June 13, 2024**.

Now the learned counsel for the petitioner submits that, the petitioner is eligible to receive interest for delayed payment.

The facts recorded above, show that, the delay had happened on the part of the employer company not on the part of the Provident Fund authority.

In view of the above, the employer company i.e. **respondent Nos. 3 and 4** shall pay a lump sum of **Rs.30,000/-** only towards interest to the petitioner, positively within a period of **two weeks**, by crediting the bank account of the petitioner, from the date of communication of this order without any default.

With the above observations and directions this writ petition, **WPA 28734 of 2023** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)