

22-02-2024
ct no. 13
Sl. 20
ap

WPA 29042 of 2023

Ashish Kumar Dan
-Versus-
The State of West Bengal & Ors.

Ms. Susmita Dey (Basu)
..for the petitioner
Mr. N.C. Bihani,
Mr. S. Mukherjee.
...for the CSTC

1. Affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.
2. The learned Advocate for the petitioner submits that the petitioner retired from service on 30.04.2023 from CSTC as Conductor.
3. The petitioner claims interest on delayed payment of Leave Salary, Provident Fund and Gratuity.
4. It is now well-settled that the delayed payment of terminal benefits causes immense hardship to an employee.
5. In the above circumstances, this Court directs the respondents to pay 6% interest on the entire amount of the delayed payment of Leave Salary, Gratuity and 25% of Provident Fund amount which have already been paid, from the date of retirement till the actual date of payment. The balance 75% of Provident Fund shall also be paid within a period of 45 days from date, mandatorily and positively together with 6%

interest from the date of retirement till the actual date of payment.

6. With the aforesaid directions, the instant writ petition shall stand disposed of.

7. There will be no order as to costs.

8. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)