

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPO/945/2024
IN THE MATTER OF :
TAPAN BISWAS
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 27th September, 2024.

APPEARANCE:

Mr. Debdutta Basu, Adv.

For petitioner

Mr. Sirsanya Bandyopadhyay, Adv.

Mr. Deepnath Roy Chowdhury, Adv.

For the State

Ms. Deblena Chattaraj, Adv.

Ms. Priyanka Kundu, Adv.

Respondent-Corporation.

The Court : Affidavit of service filed in Court today is taken on record.

The petitioner retired from the service of Calcutta Tramways Company (1978) Ltd. (in short "CTC") now known as West Bengal Transport Corporation Limited (in short "WBTC") on 31st October, 2023 on attaining the age of superannuation. The petitioner has been paid the provident fund (PF) amount of Rs.32,82,792/- on 13th June, 2024 after a delay of over eight months. The petitioner has sought for interest on delayed payment of PF amount.

The petitioner has received the PF amount with accrued interest upto 31st October, 2023 and as such is entitled to receive interest from 1st November, 2023 to 13th June, 2024.

In the aforesaid facts and circumstances, the petitioner is entitled to receive interest on the said sum of Rs.32,82,792/- for delay in paying the same as the respondents have derived benefit out of such money while the petitioner was deprived of the benefit on the money having not been paid immediately upon the same fell due. The petitioner says that the said sum of Rs.32,82,792/- was paid on 13th June, 2024 and there is no dispute raised about the said date of payment.

Without going into the dispute as to who was responsible for the delay and to what extent, I direct the respondents jointly and severally to pay 6% interest on the entire sum of Rs.32,82,792/- for the period between 1st November, 2023 till 13th June, 2024. The entire interest on account of delayed payment of Provident Fund shall be paid to the petitioner within a period of four months from date, failing which the interest will be 8.6% being the present rate of interest in respect of Provident Fund.

Nothing further remains to be adjudicated in this matter. Accordingly, the writ petition stands disposed of.

(ARINDAM MUKHERJEE, J.)

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