O-16

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/1639/2023

PRABIR DASGUPTA
Vs.
THE STATE OF WEST BENGAL AND ORS.

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

Mr. Debdutta Basu, Advocate for the petitioner.

Ms. Deblina Chattaraj, Ms. Priyanka Kundu, Advocates
For the Respondent Corporation.

The Court:- The petitioner is a retired employee of the Calcutta Tramways Company (1978) Ltd. (in short "CTC") now known as West Bengal Transport Corporation Limited (in short "WBTC"). On the petitioner's retirement on 30th November, 2016, the petitioner was paid the gratuity amount as per the then existing ceiling. Subsequently the ceiling of the gratuity amount was increased and the petitioner, therefore, became entitled to an additional amount over and above the sum already paid to him on his superannuation. The additional amount or the differential amount of gratuity has been paid to the petitioner but at a delayed stage as government notification and intimation to WBTC took some time in between. The petitioner is claiming interest on delayed

payment of the differential amount of gratuity. This issue had fallen for consideration before a Division Bench of this Court in APOT of 237 of 2023 (West Bengal Transport Corporation Ltd. And Anr. Vs. Gajendra Nath Singh And Ors.). The Hon'ble Division Bench has allowed the interest for delayed payment of the differential amount in case of retired employee of WBTC from 1st February, 2020 till the date of actual payment at the rate of 6% per annum. The payment of interest was directed to be made within 4 weeks from date.

I am told that the said order has not been challenged as yet and as such the same has achieved finality.

In view of the directions given by the Hon'ble Division Bench, the petitioner in the instant case is entitled to receive interest on the differential amount of Rs.2,70,352/- at 6% simple interest per annum from 1st February, 2020 till the date of actual payment thereof. The payment of interest has to be made by 15th of November, 2024.

All parties to act on the basis of a server copy of this order without insisting upon production of a certified copy thereof.

Nothing further remains to be adjudicated in this writ petition.

The writ petition is, accordingly, disposed of.

(ARINDAM MUKHERJEE, J)

R.D Barua/pa