

10.11.2025
sayandeep
Sl. No. 71
ML
Ct. No. 03

WPA 749 of 2024

Mukul Ghosh
Vs.
State of West Bengal & ors.

Mr. Nilanjan Adhikari
Ms. Oindrila Sinha

....for the petitioner

Mr. Rabindra Nath Pal

..... for State

Mr. Ayan Banerjee
Mr. Dhiman Banerjee

.... For the Municipality

1. The present writ petition has been filed, inter alia, praying for a direction upon the municipal authorities to make payment of interest on delayed payment of gratuity and other retiral dues.
2. It is the petitioner's case that the petitioner was an employee of the Champdani Municipality lastly discharging her duties as Mazdur. She retired from her service on 30th June, 2019. The petitioner would complain that the pension payment order was issued on 27th July, 2021. As per the aforesaid pension payment order, the petitioner is entitled to gratuity to the tune of Rs. 3,65,000/-. It is also the petitioner's case that on 28th April, 2022, a further pension payment order was issued whereunder the entitlement of the petitioner to receive gratuity was revised and the petitioner became entitled to an additional payment of Rs. 1,97,650/-.

3. It is the petitioner's case that from time to time, the respondents have disbursed the gratuity amount and last of such payment was made after filing of the writ petition. According to the petitioner, the petitioner is entitled to interest on delayed payment of gratuity and other retiral benefits.
4. Mr. Banerjee, learned advocate representing the Municipality, would submit that by reasons of failure on the part of the State Government to take adequate steps that the Municipality could not make payment of the retiral dues of the petitioner in time. Taking into consideration the aforesaid fact as also the entitlement of the petitioner to receive her retiral benefits immediately on her retirement, I am of the view that justice would be subserved if the respondents are directed to make payment of interest on account of delayed payment of retiral benefits including gratuity at the rate of 6% per annum from the date when the same had fallen due till such time the actual payment was made. The aforesaid interest on delayed payment of retiral dues including gratuity should be made within a period of 6 weeks from the date of communication of this order.
5. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)