

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

12 21.4.2025
Ct. no.2
Moumita

WPA 3885 OF 2025

Sumitra Bouri
Vs.

The Durgapur Projects Limited
& Ors.

Mr. Siddhartha Sarkar
Mr. Hirak Roy

....For the Petitioner

Mr. Sujit Sankar Koley

....For the Durgapur Projects Limited.

Affidavit-of-service, filed in Court today, is taken on record.

Mr. Siddhartha Sarkar, learned Advocate appears for the petitioner.

Mr. Sujit Sankar Koley, learned Counsel appears for the respondents.

The petitioner was an employee in ***Durgapur Projects Limited*** (in short DPL), the respondent no. 1. The petitioner retired from his service on ***October 31, 2021***. The gratuity on account of the petitioner's service was paid on ***July 15, 2021***. The petitioner who also claims leave salary on account of his service for ***294 days***.

Counsel for the Durgapur Projects Limited has stated that they are in deep financial crisis and have been

taken over by the West Bengal State Electricity Distribution Company Limited.

It is well settled that delayed payment of terminal benefits creates severe and drastic financial difficulties for an employee as he has no income. It, therefore, should automatically attract interest.

In those circumstances, interest at the rate of six percent per annum shall be paid for the period from **November 1, 2021** till **July 15, 2021** on the gratuity amount of **Rs.4,07,423/-** within a period of four months from date. Leave salary for **294 days** shall, however, be paid within a period of six month as well. The said quantum of leave towards leave salary shall carry interest at the rate of 6% from **November 1, 2021** till the date of actual payment.

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

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this court.

(Aniruddha Roy, J.)