

58. 06.11.2025
Court No.02.
(M/L)
(Pritam)

WPA 6810 of 2025

Manoj Kumar Chanda & Ors.

-Vs.-

The State of West Bengal & Ors.

Mr. Dilip Kr. Chatterjee,
Mr. Durga Bhusan Mukherjee.

...for the petitioners.

Mr. Joydip Banerjee,
Mr. Subhra Nag.

....for the State.

Mr. N.C. Bihani, Sr. Adv.,
Mr. Soumyajit Ghosh.

.....for the C.S.T.C.

1. Petitioners are the retired employees of Calcutta State Transport Corporation who have approached this court with the present writ petition, voicing grievance that though they are entitled to get leave encashment benefit for a maximum period of 300 days, they were paid leave encashment benefit for 180 days at the time of their superannuation. Petitioners' common grievance is that though they are entitled to receive leave encashment benefit for a period of 300 days, denying their such right, leave encashment benefit for a period of 120 days was not paid.
2. It is also contended on behalf of the petitioners that they are also entitled to receive interest on unpaid leave encashment benefits due to delayed payment.

3. Calcutta State Transport Corporation is represented by Mr. Bihani, learned senior advocate, who submits that as per norms on superannuation, employees of Calcutta State Transport Corporation may be paid leave encashment benefits for a maximum period of 300 days but, *ipso facto* same does not confer right upon the retired employees to claim such benefits for the said maximum period of 300 days. In the present case, benefits towards leave encashment have already been paid to the petitioners for a period of 180 days. Therefore, nothing is left to be paid.
4. State respondents are represented by learned advocate who reiterates the submission made on behalf of the Calcutta State Transport Corporation.
5. Having considered the submissions made on behalf of the parties, it is found that retired employees of Calcutta State Transport Corporation have claimed benefit of leave encashment for a maximum period of 300 days. But in the present case, such benefit is paid for a period of 180 days. Question remains whether the petitioners are entitled to get leave encashment benefits for 120 days more or not.
6. Having considered the issue involved in this writ petition, court finds no purpose would be sub-served in keeping this writ petition pending.
7. Leave is granted to the petitioners to make a joint representation within a period of fortnight from date to

the Managing Director, Calcutta State Transport Corporation claiming leave encashment benefits for 120 days. If such representation is made within the aforesaid time, the Managing Director of Calcutta State Transport Corporation being respondent no.6 shall decide the same within eight weeks thereafter on granting opportunity of hearing to the petitioners.

8. Petitioners shall be at liberty to produce relevant documents in support of their case before the respondent no.6.
9. The respondent no.6 shall pass a reasoned order and the same shall be communicated to the petitioners by ten days thereafter.
10. With the aforesaid directions, the writ petition stands disposed of.
11. There shall be, however, no order as to costs.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)