

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

26.06.2025

Ct. no.2
Daily List Sl. 03
b.r.

**WPA 12718 of 2025
Subrata Sarkar
Vs.
The State of West Bengal & Ors.**

Ms. Susmita Dey (Basu), Adv.
.... **For the Petitioner**
Mr. N. C. Bihani, Sr. Adv.
Mr. Soumyajit Ghosh, Adv.
....**For the CSTC**
Mrs. Sanjukta Samanta
.... **For the State.**

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

Ms. Susmita Dey (Basu), learned advocate appears for the petitioner.

Mrs. Sanjukta Samanta, learned advocate appears for the State.

Mr. N.C. Bihani, Learned Senior Advocate and Mr. Soumyajit Ghosh, learned advocate appear for the Calcutta State Transport Corporation (respondent nos. 3 to 5).

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on **December 31, 2023**. The retiral benefits of the petitioner was paid in tranches. The leave salary aggregating to **Rs. 3,14,004/-** was paid on **March 14, 2024**. The gratuity amount of **Rs. 10,16,744/-** was paid on **March 22, 2024**. The petitioner was paid 20% of the provident fund to the tune of **Rs. 7,01,000/-** on

January 22, 2024. Petitioner claims interest on such delayed payments. In the aforesaid facts and circumstances, after hearing the parties and considering the materials on record, I find that the petitioner is entitled to receive interest on the leave salary of **Rs.3,14,000/-** from **January 1, 2024 till March 14, 2024**, on the gratuity amount of **Rs. 10,16,744/-** from **January 1, 2024 till March 22, 2024** and **Rs. 7,01,000/-** paid on account of provident fund from **January 1, 2024 till January 22, 2024 at the rate of 6% per annum.** The payment of the principal as also the interest shall be made within a period of **three months** from the date of communication of a server copy of this order. The CSTC is directed to pay 80% of the unpaid provident fund amount with interest from **January 1, 2024** until the actual payment thereof @6% per annum, failing which the entire sum will attract interest @ 8% per annum.

Nothing further remains to be adjudicated in this writ petition. The same is accordingly **disposed of.**

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

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

(Aniruddha Roy, J.)