

Form No.J(2)

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

Present: The Hon'ble Justice Aniruddha Roy

WPA 18393 OF 2025

Chandan Das

Vs.

The State of West Bengal & Ors.

For the Petitioner

Ms. Susmita Dey (Basu), Adv.

For the CSTC

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

For the State

Mr. Tirthankar Dey, Adv.

Heard on : 26.08.2025

Judgment on : 26.08.2025

Aniruddha Roy, J :

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

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

Mr. N.C. Bihani, learned Senior Advocate, Mr. Soumyajit Ghosh, learned advocate appear for the Calcutta State Transport Corporation.

Mr. Tirthankar Dey, learned Advocate appears for the State.

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on **March 31, 2025**. The gratuity and leave

salary of the petitioner have not been paid till date. The petitioner was paid 20% of the provident fund to the tune of **Rs.7,95,000/-** on **April 29, 2025**.

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 gratuity and leave salary with interest from the date of retirement till the date of payment and interest on **Rs.7,95,000/-** paid on account of gratuity and leave salary from **April 01, 2025** till **April 29, 2025 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 **April 01, 2025** 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.)