

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

5 19.05.2025
pa Ct. no.2

WPA 24975 OF 2024

Haraprasad Sarkar
Vs.

The State of West Bengal & Ors.

Ms. Susmita Dey (Basu), Adv.
Mr. Manash Kr. Ghosh, Adv.

....For the Petitioner

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

....For the CSTC

Ms. Susmita Dey (Basu), and Mr. Manash Kr. Ghosh, learned advocates appear for the petitioner.

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

None appears for the State.

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on **June 30, 2023**. The retiral benefits of the petitioner was paid in tranches. The leave salary aggregating to **Rs. 1,74,221/-** was paid on **September 20, 2023**. The gratuity amount of **Rs. 9,27,582/-** was paid on **October 03, 2023**. The petitioner was paid 25% of the provident fund to the tune of **Rs. 6,55,000/-** on **August 07, 2023**. 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. 1,74,221/-** from **July 01, 2023** till **September 20, 2023**, on the gratuity amount of **Rs. 9,27,582/-** from **July 01, 2023** till **October 03, 2023** and on **Rs. 6,55,000/-** paid on account of provident fund from **July 01, 2023** till **August 07, 2023 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 75% of the unpaid provident fund amount with interest from **July 01, 2023** 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.)