

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

8 19.05.2025
pa Ct. no.2

WPA 25000 OF 2024

Debasish 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.

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on **March 31, 2023**. The retiral benefits of the petitioner was paid in tranches. The leave salary aggregating to **Rs. 87,366/-** was paid on **June 22, 2023**. The gratuity amount of **Rs. 11,78,557/-** was paid on **June 22, 2023**. The petitioner was paid 25% of the provident fund to the tune of **Rs. 7,75,000/-** on **April 28, 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. 87,366/-** from **April 01, 2023** till **June 22, 2023**, on the gratuity amount of **Rs. 11,78,557/-** from **April 01, 2023** till **June 22, 2023** and on **Rs. 7,75,000/-** paid on account of provident fund from **April 01, 2023** till **April 28, 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 **April 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.)