

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 24834 of 2025

12 24.11.2025
rkd Ct.02
DO

Benu Kumar Dutta

-vs-

The Durgapur Projects Limited & Ors.

Mr. Siddhartha Sarkar,
Mr. Sourav Gupta

....for the petitioner.

Mr. Sujit Sankar Koley

....for the DPL.

1. Petitioner was an employee of Durgapur Projects Limited who retired on superannuation on 31st January, 2020. After superannuation of the petitioner within time retiral dues were not released in his favour which prompted the petitioner to file a writ petition being WPA 23600 of 2022 which was disposed of by a coordinate Bench vide order dated 15th November, 2022.
2. By order dated 15th November, 2022 respondent authorities were directed to release retiral dues along with 6% interest within stipulated time.
3. It is submitted by the learned advocate representing the petitioner that in terms of the order dated 15th November, 2022 retiral dues along with interest were paid to the petitioner but revised retiral dues in terms of the Durgapur Projects Limited (Revision of Pay and Allowances) Rules

2020 (hereinafter referred to as “ROPA Rules 2020”) which was implemented vide notification dated 30th October, 2020 was not paid.

4. Revised benefits were paid by issuing subsequent order dated 24th January, 2025 and petitioner has approached this Court with the present writ petition claiming interest on revised benefits which was payable to the petitioner in terms of ROPA Rules 2020 as per provisions of the said Rules.
5. It is submitted by the learned advocate representing Durgapur Projects Limited that as per Rule 3 revised benefits are allowed in terms of ROPA Rules 2020 on and from 1st January, 2016 but said ROPA Rules 2020 came into force vide notification dated 30th October, 2020.
6. Placing reliance on Rule 30 it is also submitted that petitioner is not entitled to claim interest on revised leave encashment benefits as such benefits were allowed with effect from 1st April, 2020 whereas petitioner retired on 31st January, 2020.
7. Considering the provisions as contained in ROPA 2020 Rules it appears that in terms of Rule 3 revised benefits were allowed from 1st January, 2016 but revision was effected pursuant to notification dated 30th October, 2020. Therefore, petitioner was entitled to get revised benefits under

ROPA Rules 2020 on and from 31st October, 2020 not before that.

8. Petitioner retired on superannuation on 31st January, 2020. Therefore, petitioner is entitled to receive interest due to delayed payment of revised benefits as per ROPA Rules 2020 on and from 31st October, 2020 not prior to that.
9. Accordingly, concerned authority of Durgapur Projects Limited is directed to pay interest @ 6% on revised benefits which was paid to the petitioner as per ROPA Rules 2020 from 31st October, 2020 till date of payment by eight weeks from the date of communication of this order.
10. It is clarified that since petitioner was not entitled to receive revised leave encashment benefits in terms of Rule 30 as such benefits were allowed from 1st April, 2020 whereas petitioner retired on superannuation on 31st January, 2020, no interest is payable on leave encashment benefits.
11. The writ petition stands disposed of.
12. There shall be no order as to costs.
13. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)