

Form No.J(2)

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

Present: The Hon'ble Justice Aniruddha Roy

WPA 25974 OF 2024

Depali Guria & Ors.

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.

Heard on : 05.08.2025

Judgment on : 05.08.2025

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 and Mr. Soumyajit Ghosh, learned advocate appear for the Calcutta State Transport Corporation.

None appears for the State.

The petitioner No.1's husband (since deceased) retired from services of Calcutta State Transport Corporation (in short, CSTC) on **November 30, 2023**. The retiral benefits of the petitioner No.1's husband (since deceased)

was paid in tranches. The leave salary aggregating to **Rs. 53,315/-** was paid on **February 05, 2024**. The gratuity amount of **Rs. 12,00,000/-** was paid on **February 20, 2024**. The petitioner No.1's husband (since deceased) was paid 20% of the provident fund to the tune of **Rs.11,13,000/-** on **December 19, 2023**. Petitioner No.1's husband (since deceased) 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 petitioners are entitled to receive interest on the leave salary of **Rs. 53,315/-** from **December 01, 2023** till **February 05, 2024**, on the gratuity amount of **Rs.12,00,000/-** from **December 01, 2023** till **February 20, 2024** and **Rs. 11,13,000/-** paid on account of provident fund from **December 01, 2023** till **December 19, 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 80% of the unpaid provident fund amount with interest from **December 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.)

D. Das, P.A.