

W.P.A. 26213 OF 2025

**HARISADHAN BHUI
VS.
THE DURGAPUR PROJECTS LIMITED & OTHERS**

Mr. Amit Kumar Ghosh, Adv.

...for the Petitioner

Mr. Sujit Sankar Koley, Adv.

...for the D.P.L.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner was an employee of Durgapur Projects Limited, who retired on superannuation on 30th June, 2023.
3. It is submitted by the learned advocate representing the petitioner that on calculating retiral dues of the petitioner towards gratuity and leave salary, total Rs. 17,57,392/- was paid to the petitioner on 12th November, 2024. Petitioner claims interest on delayed payment of gratuity and leave salary.
4. Petitioner has relied upon order of Co-ordinate Bench passed on 9th August, 2021 in **WPA 11485 of 2021 (Sri Kajal Pal vs. The Durgapur Projects Limited & Ors.)** wherein the Co-ordinate Bench directed 6 per cent interest to be paid on deferred payment of retiral dues within specified time. Petitioner has also relied upon a judgment of another Co-ordinate Bench dated 24th September, 2025 passed on a writ petition being **WPA 22031 of 2025**

(Sukhamoy Bhui @ Sukhomoy Bhui vs. Durgapur Project Limited & Ors.).

5. Learned advocate representing Durgapur Projects Limited has submitted that no appeal was preferred against order dated 9th August, 2021 passed in ***Kajal Pal (supra)*** and judgment dated 24th September, 2025 passed in ***Sukhomoy Bhui (supra)***. However, it is contended that Durgapur Projects Limited is reeling under shortage of fund as a result whereof timely payment of retiral dues could not be made to its superannuated employees.
6. Having considered the submissions made on behalf of the parties and taking note of the orders passed in ***Kajal Pal (supra)*** and ***Sukhomoy Bhui (supra)*** by two different Co-ordinate Benches, it appears that in both the cases Durgapur Projects Limited was directed to pay 6 per cent interest on deferred payment of gratuity and leave salary within a specified time failing which Courts further directed that respondent authority was required to pay statutory rate of interest on such deferred payments.
7. It needs to be recorded herein that though the petitioner retired on superannuation on 30th June, 2023, payment towards gratuity and leave salary was paid on 12th August, 2024 as a result whereof

respondent authority was benefitted financially. As the petitioner is entitled to receive retiral dues on the next date following the date of his superannuation, petitioner is entitled to receive interest on deferred payment.

8. Concerned authority of Durgapur Projects Limited is directed to pay 6 per cent interest *per annum* on Rs. 17,57,392/- within a period of six (6) months from the date of communication of this order for the period from 1st July, 2023 till 13th November, 2024 failing which concerned authority of Durgapur Projects Limited shall be liable to pay statutory interest of 10 per cent on the aforesaid amount for the period from 1st July, 2023 to 13th November, 2024.
9. Writ petition stands disposed of.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)