

W.P.A. 26237 of 2025

Mrinal Das
Vs.
State of West Bengal & Ors.

Mr. Srinjoy Sengupta
Mr. Ankush Ghosh
Mr. Prosenjit Jana
...for the Petitioner

Mr. N.C. Bihani
Mr. Soumyajit Ghosh
...for the CSTC

Mr. Ratul Biswas
Mr. Shuvanil Chakraborty
...for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner was an employee of Calcutta State Transport Corporation (for short, 'Corporation') who retired on superannuation on 31st January, 2023. Petitioner has prayed for consolidation of leave encashment benefits based on calculation of 300 days, not 180 days, in terms of Clause IX of memo dated 17th September, 2009 issued by the Joint Secretary to the Government of West Bengal, Transport Department.
3. Corporation and State respondents are represented by learned advocates.

4. Since it is pointed out by the learned advocate representing the petitioner that prayer is already made to the Managing Director of the Corporation being respondent no. 5 for enhancement of leave encashment benefits, this Court finds such prayer needs to be considered by the said respondent no. 5.
5. Petitioner is granted leave to make a representation seeking enhancement of leave encashment benefits by fortnight from date to the respondent no. 5. If such representation is made within the aforesaid time, respondent no. 5 shall take decision in accordance with law by 6 (six) weeks thereafter and same shall be communicated to the petitioner by 7 (seven) days thereafter.
6. In the event decision is taken to enhance leave encashment benefits, consequential steps shall be taken by the concerned respondent authorities for releasing same to the petitioner.
7. Writ petition stands disposed of.
8. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)