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11.12.2025
Ct. No. 2
adeb

W.P.A. 27111 of 2025

Ashok Tirkey
Vs.
Union of India & Ors.

Mr. Sounak Bhattacharya
Mr. Sounak Mondal
Mr. Abhirup Halder
Mr. Anirban Saha Roy
Ms. Bipasha Bhattacharyya
…for the Petitioner

Ms. Rashmi Bothra
Mr. Priti Jain
…for the UOI
Mr. Emon Bhattacharya
Mr. Subhankar Dutta
…for the respondent nos. 2 to 5

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner was an employee of Indian Telephone Industries Limited (for short, ITI) and retired on superannuation on 28th February, 2023.
3. Learned advocate representing the petitioner submits that provident fund and gratuity were paid to the petitioner not on the date of retirement but same were paid belatedly. It is also submitted that leave encashment benefit is yet to be released in favour of the petitioner.
4. Prayer of the petitioner is two-fold, payment of leave encashment benefit and interest on

provident fund, gratuity and leave encashment benefits due to delayed payment.

5. ITI and Union of India are represented by learned advocates.
6. From the submissions made on behalf of the parties it is indisputable that there is delay in releasing provident fund and gratuity to the petitioner after his retirement on 28th February, 2023 and leave encashment benefit is yet to be released.
7. In view of delay in releasing aforesaid benefits petitioner is entitled to get interest on those benefits which were paid not within time.
8. Concerned authority of ITI is directed to release leave encashment benefits by 8 (eight) weeks from the date of communication of this order.
9. In addition thereto, concerned authorities of ITI are also directed to pay interest @ 6% per annum on provident fund, gratuity and leave encashment benefits from the date following the date of superannuation of the petitioner till the date of payments within a period of 3 (three) months from the date of communication of this order.
10. In default of releasing interest in terms of the aforesaid direction within the stipulated time

respondent authorities shall be liable to pay 10% interest on deferred payments.

11. Writ petition stands disposed of.

12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)