

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

15 29.04.2025
pa Ct. no.2

WPA 27558 OF 2024

**Samir Kumar Banerjee
Vs.
The State of West Bengal & Ors.**

Ms. Susmita Dey (Basu), Adv.
.....For the Petitioner

Mr. N.C. Bihani, Sr. Adv.
Mr. Soumyajit Ghosh, Adv.
.....For the CSTC

Affidavit of service filed in Court today, is taken on record.

Ms. Susmita Dey (Basu), learned advocate appears for the petitioner.

None appears for the State.

Mr. N.C. Bihani, Learned Senior Advocate and Mr. Soumyajit Ghosh, learned advocate appear for the Calcutta State Transport Corporation (respondent no. 3).

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on **July 31, 2023**. The retiral benefits of the petitioner was paid in tranches. The leave salary aggregating to **Rs. 66,640/-** was paid on **October 09, 2023**. The gratuity amount of **Rs. 10,76,308/-** was paid on **November 02, 2023**. The petitioner was paid 25% of the provident fund to the tune

of **Rs. 7,44,000/-** on **August 24, 2023**. Petitioner 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 petitioner is entitled to receive interest on the leave salary of **Rs. 66,640/-** from **August 01, 2023** till **October 09, 2023**, on the gratuity amount of **Rs. 10,76,308/-** from **August 01, 2023** till **November 02, 2023** and **Rs. 7,44,000/-** paid on account of provident fund from **August 01, 2023** till **August 24, 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 75% of the unpaid provident fund amount with interest from **August 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.)