

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

22 29.04.2025
pa Ct. no.2

WPA 28478 OF 2024

**Dilip Kumar Dey
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 **April 30, 2024**. The retiral benefits of the petitioner was paid in tranches. The leave salary aggregating to **Rs. 4,14,840/-** was paid on **July 05, 2024**. The gratuity amount of **Rs. 12,00,000/-** was paid on **July 08, 2024** and balance gratuity of **Rs. 1,95,000/-** was paid on **October 06, 2024**. The petitioner was paid 20% of the

provident fund to the tune of **Rs. 7,85,000/-** on **May 30, 2024**. 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. 4,14,840/-** from **May 01, 2024** till **July 05, 2024**, on the gratuity amount of **Rs. 12,00,000/-** from **May 01, 2024** till **July 08, 2024**, on the balance gratuity amount of **Rs. 1,95,000/-** from **May 01, 2024** till **October 06, 2024** and **Rs. 7,85,000 /-** paid on account of provident fund from **May 01, 2024** till **May 30, 2024 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 **May 01, 2024** 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.)