

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

23 29.04.2025
pa Ct. no.2

WPA 28480 OF 2024

**Nirmal Chandra 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 **February 29, 2024**. The petitioner claims that no payment has been made on account of gratuity and leave salary to the petitioner. The petitioner was paid 20% of the provident fund to the tune of **Rs. 5,67,000/-** on **March 28, 2024**.

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 gratuity and leave salary, if not already paid along with interest **at the rate of 6% per annum** from 01.03.2024 till the date of actual payment and on **Rs. 5,67, 000/-** paid on account of provident fund from **March 01, 2024** till **March 28, 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 **March 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.)