

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

18 01.05.2025
pa Ct. no.2

WPA 28666 OF 2024

Bikash Dutta Banik

Vs.

The State of West Bengal & Ors.

Mr. Dilip Kumar Chatterjee, Adv.

Mr. Durga Bhusan Mukherjee, Adv.

....For the Petitioner

Mr. Jagabandhu Roy, Adv.

Miss Indrani Nandi, Adv.

...For the Respondent no. 1 (State)

Mr. N.C. Bihani, Sr. Adv.

Mr. Soumyajit Ghosh, Adv.

....For the Respondent No. 2 (CSTC)

Mr. Dilip Kumar Chatterjee with Mr. Durga Bhusan Mukherjee, learned advocates appear for the petitioner.

Mr. Jagabandhu Roy, learned advocate appears for the respondent No.1.

Mr. N.C. Bihani, Learned Senior Advocate, Mr. Soumyajit Ghosh, learned advocate, learned advocate appear for the Calcutta State Transport Corporation (respondent no. 2).

The petitioner retired from services of Calcutta State Transport Corporation (in short, CSTC) on **28.02.2023**. The retiral benefits of the petitioner was paid in tranches. The leave salary amounting to **Rs. 3,66,384/-** was paid in two installments. 1st installment of **Rs.2,34,432/-** was paid on **13.07.2023** and 2nd

installment of **Rs.1,31,952/-** was paid on **18.07.2024**. The gratuity amounts of **Rs.11,19,709/-** and **Rs.33,336/-** were paid on **13.07.2023** and **16.08.2024** respectively. 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. 2,34,432/-** from **01.03.2022** till **13.07.2023** and **Rs. 1,31,952/-** from **01.3.2023** till **18.07.2023** and on the gratuity amount of **Rs.11,19,709/-** from **01.03.2023** to **13.07.2023**, and on **Rs.33,336/-** from **01.03.2023** till **16.08.2024** respectively **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. 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.)