

WPA 28373 OF 2025

**Tushar Kanti Dhar
Vs.
The Durgapur Project Limited & Ors.**

Mr. Siddhartha Sarkar
Mr. Akash Ghosh
Mr. Sourav Gupta

...for the petitioner

Mr. Sujit Sankar Koley

...for the Durgapur Projects Limited

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner was an employee of Durgapur Projects Limited (for short, "DPL"), who retired on superannuation on 31st January, 2025.
3. It is submitted on behalf of the petitioner that gratuity and leave salary were not paid to the petitioner within reasonable time after his retirement and same were paid belatedly. According to the petitioner, he is entitled to receive interest on leave salary and gratuity due to delayed payment.
4. DPL is represented by learned advocate who has made submission to oppose this writ petition on the ground that DPL is reeling under financial constraints as a result

whereof delay occurred in releasing gratuity and leave salary.

5. From the submissions made on behalf of the parties it appears that there was delay in releasing gratuity and leave salary in favour of the petitioner.
6. In aforesaid facts and circumstances, concerned authority of DPL is directed to pay interest @ 6% per annum on gratuity and leave salary from the date following the date of superannuation of the petitioner till the date of release of those benefits within a period of six months from date of communication of this order failing which concerned authority of DPL shall be liable to pay statutory interest of 10% on aforesaid benefits for the relevant period.
7. While releasing interest concerned authority of DPL shall be at liberty to recover amount which is payable by the petitioner in favour of the DPL.
8. Since no affidavit is called for, allegations contained in the writ petition are deemed not to have been admitted.
9. Writ petition stands disposed of.

10. There shall be no order as to costs.

11. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)