

04.07.2025

Ct. 39

DL.1

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IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

W.P.C.R.C 101 of 2025
in
WPA 10684 of 2024

Amarendu Banerjee

-Vs-

Anshul Gupta & Ors.

Mr. Manas Kr. Ghosh,

Ms. Susmita Dey (Basu)

.... for the petitioner/applicant.

Mr. Jaydip Kar, Sr. Adv.,

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

Mr. Soumyajit Ghosh

....for the alleged contemnor no.1 & 2.

Mr. Amitesh Banerjee, Sr. Adv.

Md. T. M. Siddiqui, Sr. Adv.,

Ms. Debdooti Dutta,

Mr. Suddhadev Adak

....for the alleged contemnor no.3.

Mr. Niladri Bhattacharjee,

Mr. Soham Bandyopadhyay,

Ms. Priyanka Kundu,

Mr. Aditya Chaturvedi,

Mr. Sayan Banerjee,

Ms. Poulami Chatterjee,

Ms. Sagarika Verma

....for the alleged contemnor no.4.

In response to the Rule issued in this contempt proceeding, Mr. Prabhat Kumar Mishra, Additional Chief Secretary, Finance Department, Government of West Bengal, Mr. Shiraz Daneshyar, the Managing Director, Calcutta State Transport Corporation (in short, CSTC) and Mr. Madan Mitra, Chairman, Calcutta

State Transport Corporation Employees' Provident Fund Trust are present in Court.

It is submitted on behalf of the Department of Finance, Government of West Bengal that for compliance of the order in this contempt application and 16 other contempt applications, which are appearing in today's list under item nos.2 to 17, a temporary measure has been taken by the Finance Department by providing a loan to CSTC for paying the 17 employees involved in these contempt petitions. The money so received by CSTC from the Finance Department through the Transport Department, Government of West Bengal, has been enroute through the Calcutta State Transport Corporation Employees' Provident Fund Trust to the seventeen employees.

Mr. Manas Kumar Ghosh, learned advocate instructed by Ms. Susmita Dey (Basu) on behalf of their clients, being the 17 petitioners in these contempt applications confirms that each one of them has received their entire provident fund amount with interest. These 17 employees, therefore, have received their entire retiral benefits and nothing is due and payable to them by their employer/CSTC.

In view of the payments being made, the order under contempt is complied with. Nothing further remains to be adjudicated in this contempt application. The contempt rule is discharged.

Personal appearance of the alleged contemnors is dispensed with. The contempt proceedings are dropped.

Although, this contempt proceedings is being dropped in view of the concerned employees having been paid their provident fund dues by way of a temporary measure but a larger issue remains unresolved. There are not only 17 employees of CSTC who on their retirement did not receive the provident fund dues. There are innumerable others who after retirement are standing in the queue to receive their respective provident fund dues despite there being specific directions given by this Court to that effect.

Several contempt petitions are also lying pending in respect of such employees who have not received their provident fund dues despite there being specific order to that effect passed by this Court.

The Additional Chief Secretary, Finance Department, Government of West Bengal who is personally present in Court assures this Court that necessary and proper steps will be taken for resolving the dispute so that the persons who have already retired from CSTC but have not received their provident fund dues gets the same at the earliest. He has also assured this Court, that provision shall also be made in respect of the employees of CSTC who will retire in

future so that the said employees get their respective provident fund amount at the earliest.

This Court repose faith and confidence in the assurance given by the Additional Chief Secretary, Finance Department, Government of West Bengal and expects that expeditious steps should be taken and the retired employees of CSTC are being paid their provident fund dues preferably within 4 months from date.

The Transport Department and the Transport Secretary, Government of West Bengal shall extend all cooperation to the Finance Department and CSTC and take all necessary steps that may be required for resolution of the dispute regarding the unpaid provident fund dues of the retired employees of CSTC and for making a future provision so that the retired employees after demitting their office are not required to run from pillar to post to receive their provident fund and retiral benefits.

(Arindam Mukherjee, J.)