

**N THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE**

WPO 190 OF 2025

**SWAPAN KUMAR BALLAV
VS.
THE STATE OF WEST BENGAL & ORS.**

**PRESENT :
THE HON'BLE JUSTICE ANIRUDDHA ROY**

For the petitioner : Mr. Debdutta Basu, Adv.

For the State respondent : Mr. Naba Kumar Das, Adv.
Ms. Suman Singh, Adv.

For the respondent nos. 2 to 5 (WBTC) : Mr. Niladri Bhattacharjee, Adv.
Ms. Poulami Chattopadhyay, Adv.

Heard on : July 8, 2025.

Judgment on : July 8, 2025.

ANIRUDDHA ROY, J. :

1. Mr. Debdutta Basu, learned Advocate appears for the petitioner. Mr. Naba Kumar Das, learned State Counsel appears for the State respondent. Ms. Deblina Chjattoraj, learned Advocate appears for respondent nos. 2 to 5.
2. The petitioner retired form the service of Calcutta Tramways Company(1978) Ltd. (in short "CTC") now known as West Bengal

Transport Corporation Limited (in short “WBTC”) on **January 31, 2024** on attaining the age of superannuation. The petitioner has been paid the provident fund (PF) amount of **Rs.19,18,698/-** on **December 16, 2024** after a delay of over **twelve months**. The petitioner has sought for interest on delayed payment of PF amount.

3. The petitioner has received the PF amount without accrued interest upto **31.01.2024** and as such is entitled to receive interest from **1st February 2023 to 16th December, 2024**.
4. In the aforesaid facts and circumstances, the petitioner is entitled to receive interest on the said sum of **Rs.19,18,698/-** for delay in paying the same as the respondents have derived benefit out of such money while the petitioner was deprived of the benefit on the money having not been paid immediately upon the same fell due. The petitioner says that the said sum of **Rs.19,18,698/-** was paid on **16th December, 2024** and there is no dispute raised about the said date of payment.
5. Without going into the dispute as who was responsible for the delay and to what extent, I direct the respondents jointly and severally to pay **6%** interest on the entire sum of **Rs.19,18,698/-** for the period between **1st February, 2024 till 16th December, 2024**. The entire interest on account of delayed payment of Provident Fund shall be paid to the petitioner within a period of four months from date, failing which the interest will be **8.6%** being the present rate of interest in respect of Provident Fund.

6. It is needless to mention that the appropriate State Authority is also directed to disburse and release the necessary fund in favour of the respondent no. 2 for making necessary payment on account of interest in favour of the petitioner.
7. Nothing further remains to be adjudicated in this matter. Accordingly, the Writ Petition **WPO/190/2025** stands disposed of.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(ANIRUDDHA ROY, J.)

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