

OD - 5

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction

ORIGINAL SIDE

APOT/69/2023
IA NO: GA/1/2023
WEST BENGAL TRANSPORT CORPORATION LTD. AND ORS.
VS
SUSANTA KUMAR MONDAL AND ANR.

BEFORE :
THE HON'BLE CHIEF JUSTICE T.S SIVAGNANAM
And
THE HON'BLE JUSTICE CHAITALI CHATTERJEE (DAS)
Date : 20th May, 2025

Appearance :
Ms. Deblina Chattoraj, Adv.
Ms. Poulami Chattapadhyay, Adv.
...for the appellant.

The Court : This intra-Court appeal by the West Bengal Transportation Corporation is directed against the order dated November 4, 2022 in WPO/2464/2022. The writ petitioner was an employee of the appellant corporation which was formerly known as Calcutta Tramways Company Limited and he retired from service with effect from July 31, 2017. The writ petitioner prayed for interest on the delayed differential payment of his gratuity dues aggregating to Rs.2 lakhs from August 1, 2017 to March 12, 2021 on which date retiral benefits were paid to him.

The learned Single Judge had disposed of the writ petition by taking note of a decision of a co-ordinate Bench in WPO/2279/2022 and directed payment of interest

at the rate of 6 per cent per annum from September 25, 2019 being the date of notification issued by the finance department to March 12, 2021 for the late disbursement of post retiral benefits. Identical directions were issued in other writ petitions as well and against one of such order the appellant corporation preferred appeal before the Division Bench in APOT/243/2022 and the Hon'ble Division Bench by an order dated May 14, 2024 modified the direction issued by the learned Single Judge and directed payment of interest on the differential amount from February 2020 till the date of actual payment, i.e. March 12, 2021 at the rate of 6 per cent per annum within a period of four weeks from the date of the order and in default, the rate of interest shall stand increased to 10% per annum as directed by the learned Single Judge.

The learned Advocate for the appellant submits that the order dated May 14, 2024 in APOT/243/2022 has been complied with within the time stipulated.

In light of the above, the appeal stands disposed of by modifying the directions issued by the learned Single Judge and by directing the appellant corporation to pay interest at the rate of 6% per annum from February 2020 till March 12, 2021 within a period of four weeks from the date of receipt of the server copy of this order. In default, the rate of interest shall stand increased to 10% per annum as directed by the learned Single Judge.

The appeal stands disposed of along with the connected application.

No costs.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)

S.Das/
AR[CR]

