

Form No. J(2)

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

WPO 666 OF 2025

**SHIPRA BHATTACHARYYA
VS.
THE STATE OF WEST BENGAL & ORS.**

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

For the petitioner	: Mr. Debdutta Basu, Adv. Mr. Krishna Pada Santra, Adv.
For the State respondent	: Mr. Dipanjan Datta, Ld. Sr. Govt. Adv. Mr. Subhajit Chowdhury, Adv.
For the respondent nos. 2 to 5 (WBTC)	: Mr. Niladri Bhattacharjee, Adv. Ms. Poulami Chattopadhyay, Adv. Ms. Deblina Chatteraj, Adv.

Heard on : September 18, 2025.

Judgment on : September 18, 2025.

ANIRUDDHA ROY,J :

1. Mr. Debdutta Basu, learned Advocate appears for the petitioner. Mr. Dipanjan Datta, learned Senior State Counsel appears for the State respondent. Ms. Deblina Chatteraj, learned Advocate appears for respondent nos. 2 to 5.
2. The wife of the deceased employee is the petitioner herein. The employee expired in harness while in services of Calcutta **Tramways**

Company (1978) Ltd. (in short, “**CTC**”) now known as **West Bengal Transport Corporation** (in short, “**WBTC**”) on **December 24, 2023**.

The petitioner was paid his retiral benefits which included a sum of **Rs.11,66,240/-** only on account of gratuity, **Rs.4,90,526/-** on account Leave Salary on **March 21, 2024** and a sum of **Rs.12,60,790/-** on account of Provident Fund (in short PF) on **March 17, 2025**. The petitioner is claiming interest on this sum for delayed payment thereof.

3. The issue of payment of interest for delay in paying the retiral benefits have been considered by the Hon’ble Supreme Court in a recent judgment reported in **(2022) 4 SCC 627 (Dr. A. Selvaraj v. CBM College & Ors.)**. In the instant case, there is no fault on the part of the petitioner for the delay in paying the retiral benefits as it was the obligation of the employer to process the payment of retiral benefits and pay the same within one month from the date of the petitioner’s retirement. Since the payment was not made within one month, the interest will date back to the date immediately succeeding the date of the petitioner’s retirement.
4. In the aforesaid facts and circumstances, the respondents are directed to pay interest to the petitioner at the rate of 6% per annum of **Rs.11,66,240/-** and **Rs.4,90,526/-** from **December 25, 2023** to **March 21, 2024** and **Rs.12,60,790/-** from **December 25, 2023** to **March 17, 2025**.

5. The rate of interest allowed is fair and reasonable and is at the rate allowed by the Hon'ble Supreme Court in a recent judgment reported in ***(2021) 11 SCC 543 (State of Andhra Pradesh and another V. Dinavahi Lakshmi Kameswari)***.
6. The appropriate State authority is also directed to disburse and release the fund in favour of the respondent nos. 2 to 5 positively within a period of five weeks from the date of communication of this order to enable the respondent nos. 2 to 5 to pay the petitioner in turn within the time frame mentioned above.
7. Nothing further remains to be adjudicated in the matter.
8. The writ petition **WPO/666/2025** stands disposed of.
9. The parties including the WBTC and its officers shall act on a server copy of this order downloaded from the official website of this Court without insisting upon production of a certified copy thereof.
10. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(ANIRUDDHA ROY, J.)