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rkd 12.02.2026
Ct.02

W.P.A. 2057 of 2026

Bhudeb Murmu

-vs-

The State of West Bengal & Ors.

Mr. Amit Kumar Ghosh

....for the petitioner.

Mr. Sujit Sankar Koley

....for the DPL.

1. Petitioner was an employee of Durgapur Projects Limited, who retired on superannuation on 31st August, 2022.
2. It is submitted by the learned advocate representing the petitioner that on calculating retiral dues of the petitioner towards gratuity and leave salary, sum was paid to the petitioner. Petitioner claims interest on delayed payment of gratuity and leave salary.
3. Petitioner has relied upon order of coordinate bench passed on 9th August, 2021 in **WPA 11485 of 2021 (Sri Kajal Pal vs. The Durgapur Projects Limited & Ors.)** wherein a coordinate bench directed 6% interest to be paid on deferred payment of retiral dues within specified time. Petitioner has also relied upon a judgment of another coordinate bench dated 24th September, 2025 passed on a writ petition being **WPA 22031 of 2025 (Sukhamoy Bhui @ Sukhomoy Bhui vs.**

Durgapur Project Limited & Ors.).

4. Learned advocate representing Durgapur Projects Limited has submitted that no appeal was preferred against order dated 9th August, 2021 passed in **Kajal Pal** (supra) and judgment dated 24th September, 2025 passed in **Sukhomoy Bhui** (supra). However, it is contended that Durgapur Projects Limited is reeling under shortage of fund as a result whereof timely payment of retiral dues could not be made to its superannuated employees.
5. Having considered the submissions made on behalf of the parties and taking note of the orders passed in **Kajal Pal** (supra) and **Sukhomoy Bhui** (supra) by two different coordinate benches it appears that in both the cases Durgapur Projects Limited was directed to pay 6% interest on deferred payment of gratuity and leave salary within a specified time failing which Courts further directed that respondent authority was required to pay statutory rate of interest on such deferred payments.
6. It needs to be recorded herein that though the petitioner retired on superannuation on 31st August, 2022 payment towards gratuity and leave salary was paid belatedly as a result whereof respondent authority was benefitted financially. As

the petitioner is entitled to receive retiral dues on the next date following the date of his superannuation, delay in making payment confers right to get interest thereon.

7. Concerned authority of Durgapur Projects Limited is directed to pay 6% interest per annum on gratuity and leave salary within a period of 6 (six) months from the date of communication of this order from the date following the date of retirement till the date of payment failing which concerned authority of Durgapur Projects Limited shall be liable to pay statutory interest of 10% on the aforesaid amount for the said period.
8. It is clarified that at the time of releasing interest concerned respondent authority shall be at liberty to deduct the amount, if same is payable by the petitioner.
9. Writ petition stands disposed of.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)