

M/L 2462
12.06.2026
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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 2274 of 2025
With
CAN 1 of 2025

Sankar Das
Versus
The State of West Bengal & Ors.

Mr. Manas Kumar Ghosh
Ms. Susmita Dey (Basu)
... For the petitioner/applicant.

Mr. Sukanta Ghosh
Mr. Arghya Chatterjee
... For the State.

Mr. Goutam Lahiri
... For the respondent no. 2 to 5

1. Affidavit of service filed in Court is taken on record.
2. Learned advocate representing the petitioner would submit that due to inadvertence, in paragraph 6 of the writ petition the petitioner has indicated that the gratuity payable to the petitioner is Rs.71889/- in place of 7,18,889/-. An application, being CAN 1 of 2025 has been filed to rectify such mistake and for amendment of paragraph 6.
3. Having heard the learned advocates appearing for the respective parties and noting that it is only a typographical error which has crept in, I am of the view that the application should be disposed of by directing the petitioner to correct the 4th line of paragraph 6 of page 3 of the writ petition where the amount of gratuity has been incorrectly recorded by amending the figure to

Rs.7,18,889/-. Accordingly, leave is granted the learned advocate for the petitioner to correct the same since it appears to be a typographical error and does not change or alter the character of the petition.

4. Since the respondents are represented and since only a typographical error was sought to be corrected, this Court has taken up hearing of the main writ petition.

5. Having heard the learned advocates appearing for the respective parties I find that the instant writ petition has been filed, inter alia, praying for a direction upon the respondents to disburse the gratuity along with interest to the petitioner.

6. Records would reveal that an E-Pension Payment Order has already been issued. From the E-Pension Payment Order the net retiring gratuity appears to be Rs.7,18,889/-. Learned advocate representing the municipality would submit that the petitioner has already been disbursed Rs.71,889/- on account of gratuity. Learned advocate for the petitioner acknowledges such payment.

7. Having regard thereto, and noting that the petitioner has retired in July, 2022, in my view, it is only appropriate to direct the municipality to disburse the balance gratuity amount on an expeditious basis, preferably but not later than four weeks from the date of communication of this order.

8. The balance gratuity amount shall carry an interest at the rate of 10 per cent per annum from the

date when the same became due in accordance with the Act, till such time the same is actually disbursed.

9. With the above observations and directions, the writ petition is disposed of along with the connected application.

Urgent photostat certified copy of this order, if applied for be given to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)