

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 3832 of 2026

Sandip Kumar Mitra
-versus
The State of West Bengal & Ors.

Mr. Srinjay Sengupta
Mr. Ankush Ghosh
Mr. Prasenjit Jana
... For the petitioner

Mr. N.C. Bihani, Sr. Advocate
Mr. Soumyajit Ghosh
... For CSTC

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner is a retired employee of Calcutta State Transport Corporation (CSTC). He retired from service on attaining his normal age of superannuation on October 31, 2025.
3. Allegation is that he received only 20% of his provident fund dues. He also alleges that his gratuity was disbursed in his favour belatedly. He received his leave salary only for 180 days, belatedly.
4. The petitioner prays for disbursal of his balance 80% of his provident fund dues, 120 days' leave encashment and interest on the delayed payment of his terminal dues comprising of provident fund, gratuity and leave encashment.

5. The petitioner filed a representation praying for disbursal of his aforesaid dues but the same is alleged to be kept pending till date.

6. Reliance has been placed on an order dated January 15, 2026 passed by this Court in WPA No.28860 of 2025.

7. As receiving the provident fund, gratuity and leave encashment would be the statutory dues of a retired employee; accordingly, the employer would be duty bound to disburse the same immediately on retirement of the employee or soon thereafter. There ought not to have been any delay in disbursing the terminal dues of a retired employee.

8. In view of the above, the instant writ petition is disposed of by directing the Managing Director, CSTC to take steps to consider the petitioner's representation for releasing the balance amount of provident fund dues, gratuity and the admissible leave encashment to the petitioner along with interest on account of delayed payment.

9. As the retired employee will receive the terminal dues after a considerable delay, accordingly, the aforesaid dues shall be disbursed along with simple interest calculated at the rate of six percent per annum from the next date of retirement till the date of actual payment within twelve weeks from the date of communication of this order.

10. It is made clear that if the amount is not disbursed within the aforesaid time limit, then the petitioner would be entitled to receive 2% additional interest i.e. $6\%+2\% = 8\%$ interest on the due amount calculated on and from the next date of retirement till the date of actual payment.

11. Let a copy of the writ petition be served in the office of the respondent no.6, being the Calcutta State Transport Corporation Employees' Provident Fund Trust, at the time of communicating the order of the Court.

12. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

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

(Amrita Sinha, J.)