

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 3831 of 2026

Kamal Majumder
-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 records.
2. The petitioner was serving in the Calcutta State Transport Corporation (CSTC). He retired from service on 31st March, 2024.
3. The grievance of the petitioner is that 20% of the provident fund amount was disbursed in his favour belatedly. The petitioner claims balance 80% provident fund along with interest on delayed payment of the provident fund amount.
4. I have heard learned counsel for the parties and considered the orders passed by this Court in similar facts.
5. It is settled law that the right of a retired employee to get his/her retiral dues on the date of attaining superannuation is a valuable right which accrues in his/her favour on the date of his/her attaining superannuation. Such dues are no more considered to be a bounty to be handed out by the State at its whim. An employee has a statutory right to receive the terminal dues upon retirement. If such payment is delayed, the retired employee is surely entitled to get some interest for such delayed payment.

6. In the present case, it was the bounden duty of the authority to disburse the terminal dues on the due date. As it has failed to do so and has released such amount after unexplained delay, it is obliged to pay interest to the retired employee. This is compensatory in nature.

7. In view of the aforesaid, I direct the Managing Director, Calcutta State Transport Corporation, being the respondent no. 5 herein, to disburse the balance provident fund amount to the writ petitioner along with interest at the rate of 6% per annum on the provident fund amount calculated on and from the next date of retirement till the date of actual payment, provided the delay caused was not attributable to the petitioner.

8. Such payment is to be made within twelve weeks from the date of communication of this order.

9. In the event the interest is not paid within the time limit stipulated hereinabove, then the petitioner would be entitled to additional interest of 2%, that is, 8% (6+2) from the next date of retirement till the date of actual payment.

10. 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.

11. The writ petition stands disposed of.

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.)