

05-05-2026
Item No.57 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.5145 of 2026

Prasanta Kumar Bose

-vs-

The State of West Bengal & Ors.

Mr. Manas Kumar Ghosh
Ms. Susmita Dey (Basu)
Mr. Antarik Dawn ...for the petitioner

Mr. N. C. Bihani, Sr. Adv.
Mr. Soumyajit Ghosh ...for CSTC

1. The petitioner is a retired employee of Calcutta State Transport Corporation (CSTC). He retired from service on attaining his normal age of superannuation on June 30, 2025.
2. Allegation is that he has received only 20% of his provident fund dues. He also alleges that his gratuity and leave salary was disbursed in his favour belatedly.
3. The petitioner prays for interest on account of delayed payment of his terminal dues.
4. Reliance has been placed on an order dated January 15, 2026 passed by this Court in WPA No.28860 of 2025.
5. Upon hearing the parties and on perusal of the documents annexed to the writ petition, it appears that the petitioner has not made any representation before the authority prior to approaching this Court.
6. 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.
7. In view of the above, the instant writ petition is disposed of by directing the Managing Director, CSTC to take steps for releasing the balance amount of provident fund dues to the petitioner along with the gratuity and the admissible leave encashment.
 8. As the retired employee will receive the terminal dues after a considerable delay, accordingly, the amount shall be disbursed along with simple interest calculated at the rate of 6% p.a. from the next date of retirement till the date of actual payment within twelve weeks from the date of communication of this order.
 9. 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.
 10. The writ petition is disposed of.
 11. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
 12. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

