

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 7853 of 2026

Madan Mondal
-versus
The State of West Bengal & Ors.

Ms. Susmita Dey (Basu)
Mr. Kaustav Ghosh
Mr. Antarik Dawn
... For the petitioner

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 the Calcutta State Transport Corporation (CSTC). He retired from service on attaining the normal age of superannuation on 29th February, 2024.
3. His allegations are as follows:-
 - (i) The gratuity and leave encashment were paid at a delayed point of time.
 - (ii) The Dearness Allowance component has not been included in his pensionable gratuity that has been paid.
 - (iii) The leave encashment has only been allowed for 180 days in place and instead of 300 days.
4. Prayer has been made to direct the authority for grant of balance 120 days' leave encashment. The petitioner also prays interest on account of delayed payment gratuity and leave encashment.

5. It appears that all the aforesaid dues are statutory dues of the retired employee. The employee is yet to make any formal representation before the authority highlighting his claim.

6. In view of the above, the instant writ petition stands disposed of with the observation that it will be open for the petitioner to make a comprehensive representation before the authority highlighting his grievances.

7. In the event such representation is made, the same shall be considered by the respondent no.5, being the Managing Director, Calcutta State Transport Corporation, strictly in accordance with the prevailing Rules at the earliest but positively within a period of twelve weeks from the date of making such representation.

8. The Dearness Allowance component which the petitioner will be entitled to receive shall be considered for payment in the light of the order dated 6th May, 2026 passed by this Court in WPA 6912 of 2026 (Abdul Rahim Fakir v. The State of West Bengal & Ors.).

9. The writ petition stands disposed of.

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

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

(Amrita Sinha, J.)