

M/L 215
13.05.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 8980 of 2026

Shivanand Upadhyay

Vs.

The State of West Bengal & Ors.

Ms. Susmita Dey (Basu)

Mr. Kaustav Ghosh

Mr. Antarik Dawn

...for the Petitioner.

Mr. N.C. Bihani, Sr. Adv.

Mr. Soumyajit Ghosh

...for the CSTC.

1. Affidavit of service filed in Court today be kept with the records.
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 December 31, 2025.
3. Allegation is that he has been paid only 10 percent of his provident fund dues. He has not been paid his gratuity amount and the leave encashment.
4. Prayer has been made to pay the balance 90 percent provident fund dues, full gratuity amount, leave encashment and interest on the delayed payment of terminal dues.
5. The dues claimed by the petitioner are all statutory dues and required to be paid immediately on retirement of the employee or soon thereafter. The petitioner retired from service on December 31, 2025 but his dues have not been paid till date.
6. In view of the above, the instant writ petition stands disposed of by directing the Managing Director, Calcutta State Transport Corporation, to take steps for releasing the balance 90 percent provident fund dues of the petitioner, his gratuity and leave encashment in full at the earliest but positively within a period of twelve weeks from the date of communication of this order.

7. As the petitioner will be receiving his terminal dues after some delay, accordingly, the amount due to him shall be accompanied with simple interest at the rate of six percent per annum calculated on and from the next date of retirement till the date of actual payment.
8. If the due amount of the petitioner is not disbursed within the time limit stipulated hereinabove, then additional two percent simple interest, i.e., 6+2=8 percent interest shall be payable to the petitioner.
9. The writ petition stands disposed of.
10. There is no proof of service upon the respondent no.6. Let a copy of the writ petition along with a copy of this order be served upon the respondent no.6.
11. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.
12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)