

18th May, 2026

Item no.D/L 11
Court No. 18

Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 9277 of 2026**

In the matter of:

Minati Gayen

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Ms. Susmita Dey (Basu)

Mr. Antarik Dawn

....Advocates

For the C.S.T.C:

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

Mr. Soumyajit Ghosh

....Advocates

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). She retired from service on 28th February, 2025 on attaining her normal age of superannuation. She alleges that provident fund dues have not been disbursed in her favour till date.
3. The petitioner prays for releasing her provident fund dues along with interest on account of delayed payment. The petitioner also alleges that the pension that has been received does not include the dearness allowance component.
4. The issue regarding applicability of the dearness allowance in the pensionable gratuity paid to the retired employees of the organization has been decided by this Court on 31st March, 2026 in WPA 29126 of 2024 in the matter of Prosun Talukdar & Ors. Vs. State of West Bengal & Ors.

5. The petitioner relies upon the said order and prays for similar reliefs.
6. In *Prosun Talukdar (supra)* the Court held that, in terms of the several memoranda of the Transport Department, Government of West Bengal, the retired employees would be entitled to receive the gratuity and pension including the dearness allowance.
7. The Court directed the Managing Director of the Calcutta State Transport Corporation to take steps for disbursing the Dearness Allowance component to the retired employees in terms of the memoranda dated 4th September, 2025 and 14th January, 2026.
8. In view of the above, the instant writ petition is disposed of by directing the Managing Director of the Calcutta State Transport Corporation to disburse the provident fund dues of the petitioner along with interest calculated at the rate of six percent per annum payable on and from the next date of her retirement till the date of actual payment at the earliest but positively within a period of twelve weeks from the date of communication of this order.
9. The Managing Director of the Calcutta State Transport Corporation shall take steps for disbursing the Dearness Allowance component of the petitioner in terms of the aforesaid memoranda at the earliest but positively within a period of twelve weeks from the date of communication of this order.
10. As the petitioner retired from service way back in February, 2025 she would be entitled to receive her provident fund dues which was deposited by her under the General Provident Fund Scheme.
11. In the event the provident fund dues along with the dearness allowance component is not cleared within the time period stipulated hereinabove, then additional two percent, that is, $6+2=8$ percent

simple interest shall be paid to the petitioner on and from the next date of retirement till the date of actual payment.

12. 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.
13. The writ petition stands disposed of.
14. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.
15. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)