

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 9632 of 2026

Susanta Banerjee
-versus
The Durgapur Projects Limited & Ors.

Mr. Siddhartha Sarkar
Mr. Sourav Gupta
... For the petitioner

Mr. Sujit Sankar Koley
... For the DPL

1. Affidavit of service filed in Court today is taken on record.

2. The petitioner is a retired employee of the Durgapur Projects Limited. His retiral dues including his gratuity and leave encashment have been released in his favour at a delayed date.

3. The petitioner prays for interest on the delayed payment of his retiral dues.

4. It is settled law that an employee is entitled to receive his retiral dues immediately upon his retirement. The retiral dues are not a bounty but are valuable rights, which accrue in favour of an employee due to his long period of service with the respondents.

5. In view of the aforesaid settled law, the respondent authorities are bound to pay interest on account of the delayed payment of the retiral dues.

6. The learned advocate representing the Durgapur Projects Limited submits that the financial condition of the Company is extremely unstable. The Company is not in a position to pay regular salary to its employees. The Company has to sell the land to meet the dues of the regular employees. It will be extremely difficult for the Company to pay interest on account of the delayed payment of the retiral dues.

7. Relying on the submission made on behalf of the respondents, the instant writ petition is disposed of directing the respondent nos.2 and 4 to take steps to calculate and disburse interest in favour of the petitioner @ 6% per annum from the date of its accrual till the date of actual payment.

8. The amount of interest as calculated shall be paid within a period of eight weeks from the date of communication of a copy of this order.

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.)