

S/L 76
18.05.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 10694 of 2026

Sanjoy Sarkar

Vs.

The State of West Bengal & Ors.

Mr. Sanjib Bandyopadhyay

Mr. Ashok Kumar Singh

Mr. Pritam Das

Ms. Ambika Bera

...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 Calcutta State Transport Corporation (CSTC). He retired from service on attaining his normal age of superannuation on 31st March, 2025.

3. Allegation is that he received only part provident fund dues. He also alleges that his gratuity was disbursed in his favour belatedly. The petitioner prays for release of balance provident fund along with interest and interest on account of delayed payment of his gratuity.

4. Reliance has been placed on an order dated January 15, 2026 passed by this Court in WPA No.28860 of 2025.

5. As receiving the provident fund and gratuity 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.

6. In view of the above, the instant writ petition is disposed of by directing the Managing Director, CSTC to take steps to release the balance amount of provident fund dues to the petitioner at the earliest but positively within a period of twelve weeks from the date of communication of this order.

7. 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.

8. As the petitioner received the gratuity at a belated date, he shall be entitled to simple interest on the gratuity amount calculated at the rate of six percent per annum which should be paid on and from the next date of retirement till the date actual payment.

9. The aforesaid amount shall be cleared within twelve weeks from the date of communication of this order.

10. 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.

11. The writ petition stands disposed of.

12. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

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

(Amrita Sinha, J.)