

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10310 of 2025

Parbati Kandal
Versus
The Chairperson, Serampore Municipality & Ors.

Mr. Partha Pratim Bhattacharya
... For the petitioner.

Mr. Amit Kumar Ghosh
Mr. Shibasish Banerji
... For the State.

Mr. Gautam Lahiri
... For the Municipality.

1. The instant writ petition has been filed, inter alia, praying for a direction upon the municipal authorities to disburse the gratuity to the extent of Rs.7,30,000/- without any further delay along with statutory interest.
2. By an order dated 16th September, 2025 a Coordinate Bench of this Court was pleased to direct as follows:

“1. Learned Counsel for the respondent seeks and is granted further two weeks time to file report by way of affidavit. Exception thereto, if any, be filed within one week thereafter.

2. It is disturbing to note that despite the petitioner rendering service for a considerable period of time, the gratuity amount of Rs.7,30,000/- is still outstanding. Learned Counsel for the respondent states that some part of the gratuity amount has been paid.

3. The affidavit shall clearly indicate the amount which has been paid and the amount which

is due to the petitioner. The affidavit shall also indicate the time line for making the rest of the outstanding amount to be paid to the petitioner.

4. List this matter on 19.11.2025”.

3. After passing of the aforesaid order the matter has come up for consideration today.

4. Learned advocate for the municipality has filed a report which is taken on record. Perusing the same, it would transpire that apart from Rs.2,92,000/- no further sum has been paid to the petitioner and that the balance principal amount of Rs.4,38,000/- is due and payable to the petitioner on account of gratuity. It is stated in paragraph 4 of the report that the aforesaid amount shall be paid as early as possible preferably within a period of four months. It appears that the above report has been affirmed on 7th November, 2025. More than three and a half months have already passed; no payment has yet been made.

5. Having regard thereto and since the principal amount of gratuity to the extent of Rs.4,38,000/- is admitted, I direct the municipality to forthwith make payment of the aforesaid amount of gratuity along with the statutory interest of 10 per cent per annum on the entire amount that has fallen due. The interest shall be calculated from the date when the same has fallen due till such time the same is actually paid.

6. The petitioner must be supplied with a copy of the statement showing particulars of amount paid along with interest.

7. With the above observations and directions, the writ petition is disposed of.

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

(Raja Basu Chowdhury, J.)