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16.06.2026
Court No.18
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11442 of 2026

Arun Kumar Patra
-versus
The State of West Bengal & Ors.

Ms. Susmita Dey (Basu)
Mr. Kaustav Ghosh
Mr. Antarik Dawn
... For the petitioner

Ms. Aparna Banerjee, AGP
Mr. Brijendra Pratap Singh
... For the State

Mr. N.C. Bihani, Sr. Advocate
Mr. Soumyajit Ghosh
... For CSTC

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

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 October, 2025.

3. Allegation is that he received only 20% of his provident fund dues. He also alleges that his gratuity and leave salary was disbursed in his favour belatedly. The petitioner prays for interest on account of delayed payment of his terminal dues.

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, gratuity and leave encashment 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 80% of provident fund dues to the petitioner.

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% per annum 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 and leave encashment at a belated date, he shall be entitled to simple interest on the gratuity and leave encashment amount calculated at the rate of 6% 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. All parties shall act on the basis of a 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.)