

09.01.2026
SL. No.62
Court No.2
SKG

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

W.P.A. No. 2036 of 2025

**Manik Chandra Das @Manik Ch. Das
Versus
The State of West Bengal & Ors.**

Mr. Nabankur Paul,
Ms. Sutapa Sen Paul,
Mr. Bodhisatya Ghosh,

...for the petitioner

Mr. Anirban Banerjee, AAG
Ms. Pratusha Dutta Chowdhury,

.....for the State

1. The petitioner claims interest on gratuity for delayed payment of the same. Report indicates that the gratuity had not been released soon after retirement as the outstanding towards the house building loan of the petitioner was being processed.
2. It appears that the petitioner received the final gratuity payment on May 10, 2023. The petitioner retired from service on May 31, 2020.
3. In my view, the delay in disbursement of gratuity cannot be attributed to the petitioner. It was the duty of the employer to ensure that the recovery towards the loan should have been completed prior to his retirement and the calculation should have

been accordingly made and entered in the service book.

4. Under such circumstances, the writ petition is disposed of with a direction upon the respondent no.2 or such other competent authority, to pay interest at the rate of 6% per annum from the next date of retirement of the petitioner, upto the date of final payment of the gratuity.
5. There shall be no order as to costs.
6. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)