

OD-3

ORDER SHEET

WPO No.176 of 2026
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

PRASANTA DAS
-VS-
THE STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 17th April, 2026.

Appearance :
Mr. Debdutta Basu Adv.
Ms. Soumalika Nandan, Adv.
...for the Petitioner.

Mr. Shantanu Kr. Mitra, Adv.
Mr. Subhadip Biswas, Adv.
...for the State.

Mr. Nayan Chand Bihari, Sr. Adv.
Ms. Deblina Chattaraj, Adv.
...for CSTC.

1. The petitioner is a retired employee of the Calcutta State Transport Corporation. He retired from service on attaining his normal age of superannuation of sixty years on 28th February, 2025.
2. His allegation is that his provident fund dues amounting to Rs.16,53,201/- as calculated on 25th March, 2025 and his leave encashment for 120 days is due and pending.
3. Learned advocate for the petitioner relies upon several orders passed by the Co-ordinate Benches of this Court in respect of similarly placed employees where direction was passed for releasing the dues of the employees within a stipulated time period.

4. Prayer has been made to direct the authority to release the terminal dues of the petitioner.
5. Learned advocate representing the Calcutta State Transport Corporation fairly submits that the retired employee would be entitled to receive his terminal dues.
6. As it appears that the employer has already calculated the provident fund dues of the petitioner way back on 25th March, 2025 and admittedly paid the leave encashment for the period of 180 days, accordingly, the authority would be legally bound to release the provident fund dues and the leave encashment for the balance period of 120 days, if admissible, in favour of the retired employee without any further delay.
7. In view of the above, the instant writ petition stands disposed of by directing the Managing Director of the Calcutta State Transport Corporation to take steps for releasing the terminal dues of the petitioner including the provident fund dues to the tune of Rs. 16,53,201/- and the leave encashment for the balance period of 120 days provided the petitioner is found entitled to the same in terms of the Revision of Pay and Allowances of the employees of the Calcutta Transport Corporation 1978 Ltd. being Memorandum No.4090-WT/TR/O/7T-18/09 dated 17th September, 2009 at the earliest but positively within a period of twelve weeks from the date of communication of this order.
8. As the retired employee would be receiving his legal dues after lapse of a considerable period of time, he would be entitled to receive his dues

along with simple interest calculated at the rate of 6% per annum payable on and from the due date till the date of actual payment. If the dues of the petitioner are not cleared within the time limit stipulated hereinabove, then the employer would be liable to pay additional interest at the rate of 2 % per annum that is $(6+2)\%=8\%$ per annum on the due amount from the due date till the date of actual payment.

9. The writ petition stands disposed of.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)