28 **03.09. 2026**

Ct. No. 18

sdas

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE.

WPA 22742 of 2026

Abdul Khalek Mondal
Vs.
The State of West Bengal and others.

Ms. Susmita Dey (Basu),
Mr. Kaustav Ghosh.
... for the petitioner.

Mr. D. N. Ray, learned G.P.
Mr. Guddu Singh
Mr. Sourav Haldar
... for the State.

Mr. N.C. Bihani,
Mr. Soumyajit Ghosh.
... for the 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). The petitioner was promoted to the post of Zone Inspector, six months prior to his superannuation. Thus, the gratuity payable to him should take into account this promotional post for a period of six months. The petitioner thereafter retired from service on October 31, 2025.
3. The petitioner alleges that he has received only 20% of his provident fund dues till date. He also alleges that his gratuity and leave salary was disbursed belatedly. The petitioner prays for the balance provident fund

dues along with interest, interest on account of delayed payment of his terminal dues and balance gratuity and balance leave salary as Zone Inspector.

4. Reliance has been placed on an order dated January 15, 2026 passed by this Court in WPA No.28860 of 2025.
5. As provident fund, gratuity and leave encashment are the statutory dues of a retired employee; accordingly, the employer is 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% provident fund dues to the petitioner and balance gratuity and balance leave salary as applicable to the post of Zone Inspector.
7. As the retired employee will receive the terminal dues after some delay, the amount shall be disbursed along with simple interest calculated at the rate of 6% per annum from the date after the retirement till the date of actual payment within twelve weeks from the date of communication of this order.
8. 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.

9. In the event, at the time of disbursement, the authorities do not have sufficient funds, the State authorities are directed to disburse the concerned amount in favour of the respondent no.5.

10. The writ petition stands disposed of.

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

12. Certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Reetobroto Kumar Mitra, J.)