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(DO)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA/21494/2026

MD. PEYARU
VS
THE STATE OF WEST BENGAL & ORS.

Ms. Susmita Dey (Basu), Advocate

.....for the Petitioner

Mr. Soumyajit Ghosh, Advocate

.....for the CSTC

Ms. Ashima Roy Chowdhury, Advocate

Mr. V.K. Roy, Advocate

.....for the State

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 30.09.2025.
3. The petitioner alleges that he has not received his provident fund dues. He also alleges that his gratuity 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 May, 12, 2026 passed by this Court in WPA/8290/2026.
5. As receiving the provident fund, gratuity 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 entire amount 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 amount at a belated date, he shall be entitled to simple interest on the gratuity 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. The writ petition stands disposed of.
12. Parties to act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Reetobroto Kumar Mitra, J.)

