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DHURJATI DASGUPTA
VS
THE DURGAPUR PROJECTS LIMITED & ORS.

Mr. Amit Kumar Ghosh

.....for the Petitioner

Mr. Sujit Sankar Koley

.....for the DPL

1. The petitioner is a retired employee of the Durgapur Projects Limited. His retiral dues including his gratuity and leave encashment have been released in his favour at a delayed date.
2. The petitioner prays for interest on the delayed payment of his retiral dues.
3. It is settled law that an employee is entitled to receive his retiral dues immediately upon his retirement. The retiral dues are not a bounty but are valuable rights, which accrue in favour of an employee due to his long period of service with the respondents.
4. In view of the aforesaid settled law, the respondent authorities are bound to pay interest on account of the delayed payment of the retiral dues.
5. Mr. Koley, learned Advocate representing the Durgapur Projects Limited submits that the financial condition of the Company is extremely unstable. The Company is not in a position to pay regular salary to its employees. The Company has to sell the land to meet the dues of the regular employees. It will be extremely difficult for the Company to pay interest on account of the delayed payment of the retiral dues.
6. Relying on the submission made on behalf of the

respondents, I direct the respondent nos. 2 and 4 to take steps to calculate and disburse interest in favour of the petitioner @ 6% per annum from the date of its accrual till the date of actual payment.

7. The amount of interest as calculated shall be paid within a period of six months from the date of communication of this order.
8. In the event, the amount is not paid within the afore-stated timeline, an additional interest at the rate of 2% per annum (6+2), will be paid by the authorities to the petitioner.
9. With these directions, the writ-petition is disposed of.
10. Urgent Photostat Certified Copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Reetobroto Kumar Mitra, J.)