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(UO-DO)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA/16554/2026

SURESH CHANDRA TIWARI
VS
THE STATE OF WEST BENGAL & ORS.

Mr. Srinjay Sengupta, Advocate
Mr. Saurav Roy, Advocate
Mr. Ankush Ghosh, Advocate
Mr. Prasenjit Jana, Advocate
……for the Petitioner
Mr. Niladri Bhattacharjee, Advocate
Ms. Poulami Chattopadhyay, Advocate
…… for the Respondent Nos. 2 to 5 (WBTC)
Mr. Indradeep Pal, Advocate
Mr. Snehansu Majumder, Advocate
……for the State

1. Affidavit of service filed in Court today be kept with the records.
2. The petitioner retired on superannuation from the Calcutta Tramways Company (1978) Limited currently known as the West Bengal Transport Corporation Limited on 31st December, 2024. Though other retiral dues were paid to the petitioner within time, but provident fund dues were released in favour of the petitioner on 13th March 2026.
3. The petitioner prays for interest on account of delay in releasing the provident fund dues.
4. It is settled law that the right of a retired employee to get his retiral dues on the date of attaining superannuation is a valuable right which accrues in his favour on the date of his attaining superannuation. Retiral dues are no more considered to be a bounty to be handed out by the State at its whim. An employee has a statutory right to receive such payment upon retirement. If payment is delayed, the retired employee is surely

entitled to get some interest for such delayed payment.

5. In the present case, it was the bounden duty of the employer to disburse the provident fund amount on the due date. As the employer has failed to do so and has released such amount after unexplained delay, the employer is obliged to pay interest to the retired employee.
6. In view of the above, I direct the concerned authority of the Corporation to pay to the petitioner simple interest at the rate of 6% per annum on provident fund dues calculated on and from the next date of retirement till the date of actual payment within a period of four months from the date of communication of this order.
7. In default of paying interest to the petitioner in terms of the aforesaid direction, the concerned respondent authority shall be liable to pay additional simple interest at the rate of 2% i.e. (6+2)= 8% on provident fund dues.
8. The writ-petition stands **disposed of.**
9. 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.)