

33 **22.07.**
2026

Ct. No. 18

Ab

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

WPA 15988 of 2026

Sukumar Mondal
Vs.
The State of West Bengal and others.

Mr. Manas Kumar Ghosh,
Ms. Susmita Dey (Basu),
Mr. Kaustav Ghosh,
Mr. Antarik Dawn.

... for the petitioner.

Mr. Ankur Sharma.

... for the State.

Mr. N. C. Bihani,
Mr. Soumyajit Ghosh.

... for the CSTC.

1. The affidavit of service filed today is taken on record.
2. The petitioner is a retired employee of the Calcutta State Transport Corporation (CSTC). He retired from service on 31st October, 2024 on attaining his normal age of superannuation.
3. The petitioner prays for interest on account of delayed payment of his Provident Fund, Leave Salary and Gratuity which have been paid belatedly. The petitioner also alleges that the pension that has been received does not include the dearness allowance component.
4. The issue regarding applicability of the dearness allowance in the pensionable gratuity paid to the retired employees of the organization has been decided by this Court on 31st March, 2026 in WPA 29126 of 2024 in the matter of Prosun Talukdar & Ors. Vs. State of West

Bengal & Ors.

5. The petitioner relies upon the said order and prays for similar reliefs.
6. In *Prosun Talukdar (supra)* the Court held that, in terms of the several memoranda of the Transport Department, Government of West Bengal, the retired employees would be entitled to receive the gratuity and pension including the dearness allowance.
7. The Court directed the Managing Director of the Calcutta State Transport Corporation to take steps for disbursing the Dearness Allowance component to the retired employees in terms of the memoranda dated 4th September, 2025 and 14th January, 2026.
8. In view of the above, the instant writ petition is disposed of by directing the Managing Director of the Calcutta State Transport Corporation to pay interest on the delayed payment of the terminal benefits of the petitioner calculated at the rate of six percent per annum payable on and from the next date of retirement till the date of actual payment within a period of twelve weeks from the date of communication of this order.
9. The Managing Director of the Calcutta State Transport Corporation to take steps for disbursing the Dearness Allowance component of the petitioner in terms of the aforesaid memoranda at the earliest but positively within a period of twelve weeks from the date of communication of this order.

10. In the event the interest on the delayed payment of terminal benefits and the dearness component is not cleared within the time period stipulated hereinabove, then additional two percent, that is, $6+2=8$ percent simple interest shall be paid to the petitioner on and from the next date of retirement till the date of actual payment.
11. At the time of extending the benefits as aforesaid towards interest on delayed payment of terminal benefits and dearness allowance, if required, the State authorities shall provide the necessary funds to the CSTC.
12. Insofar as the petitioner's claim for the accumulated unutilized Earned Leave is concerned, admittedly, the petitioner has received the payment for 180 days of service rendered by him. The payment for the balance 120 days to which the petitioner is entitled will be made over by the respondent authorities in the light of the Government Order dated 17th September 2009 by 31st August 2026.
13. With the afore-stated directions, the writ petition is disposed of.
14. There shall, however, be no order as to costs.
15. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)

