

5th May, 2026

Item no.M/L 79
Court No. 18

Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 5741 of 2026**

In the matter of:

Manilal Biswas

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Mr. Manas Kr. Ghosh
Ms. Susmita Dey (Basu)
Mr. Antarik Dawn

....Advocates

For the C.S.T.C.:

Mr. Soumyajit Ghosh

....Advocates

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner was serving as a Junior Traffic Supervisor in the Calcutta State Transport Corporation. He retired from service on 28.02.2023.
3. The grievance of the petitioner is that the provident fund amount was disbursed in his favour only on 08.08.2023. The petitioner claims interest on delayed payment of the provident fund amount.
4. I have heard learned counsel for the parties and considered the orders passed by this Court in similar facts.
5. It is settled law that the right of a retired employee to get his/her retiral dues on the date of attaining superannuation is a valuable right which accrues in his/her favour on the date of his attaining superannuation. Such 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 the terminal dues upon retirement. If such payment is delayed, the retired employee is surely entitled to get some interest for such delayed payment.

6. In the present case, it was the bounden duty of the authority to disburse the terminal dues on the due date. As it has failed to do so and has released such amount after unexplained delay, it is obliged to pay interest to the retired employee. This is compensatory in nature.
7. In view of the aforesaid, I direct the Managing Director, Calcutta State Transport Corporation being the respondent no. 4 herein to pay interest to the writ petitioner at the rate of 6% per annum on the provident fund amount calculated on and from the next date of retirement till the date of actual payment, provided the delay caused was not attributable to the petitioner.
8. Such payment is to be made within twelve weeks from the date of communication of this order.
9. In the event the interest is not paid within the time limit stipulated hereinabove, then the petitioner would be entitled to additional interest of two percent, that is, 8% (6+2) from the next date of retirement till the date of actual payment.
10. The writ petition stands disposed of.
11. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)