M/L 65
05.05.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 5514 of 2026

Barun Sarkar
Vs.
The State of West Bengal & Ors.

Mrs. Susmita Dey (Basu)
Mr. Antarik Dawn

... for the Petitioner.

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

... for CSTC.

1. Affidavit of service filed in Court today be kept with the records.

2. The petitioner is a retired employee of the Calcutta State Transport Corporation (CSTC). His allegation is that leave encashment which is available for a maximum period of 300 days has not been paid to him fully, except only for a period of 180 days. The payment for the balance period of 120 days is due and payable.

3. A representation seeking payment of the balance amount is pending consideration before the Managing Director of CSTC.

4. Learned counsel for the petitioner refers to the Government Order dated September 17, 2009 which clearly specifies payment of leave encashment up to 300 days to be borne by the organization.

5. The petitioner also relies upon various orders passed by this Court in similar matters where directions have been passed for taking a decision for payment of leave encashment for the full period.

6. Learned counsel for CSTC admits the Government Order which has been relied upon by the petitioner.

7. In view thereof, the instant writ petition is disposed of by directing the Managing Director of CSTC to consider the petitioner's representation for grant of complete leave encashment in the light of the Government Order dated September 17, 2009 and take a decision at the earliest but positively within a period of eight weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner.

8. In the event the petitioner's payer is accepted, then necessary steps for releasing the due amount in favour of the petitioner shall be taken without any further delay.

9. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(Amrita Sinha, J.)