

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

**WPA 6913 of 2026**

Biswanath Sardar  
-versus  
The State of West Bengal & Ors.

Mr. Manas Kumar Ghosh  
Ms. Susmita Dey (Basu)  
Mr. Kaustav Ghosh  
Mr. Antarik Dawn  
... For the petitioner

Mr. N.C. Bihani, Sr. Advocate  
Mr. Soumyajit Ghosh  
... For CSTC

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner is a retired employee of the Calcutta State Transport Corporation (CSTC). He retired from service on attaining the normal age of superannuation on 30<sup>th</sup> November, 2025.
3. Allegation is that he has been paid only 20 percent of his provident fund dues. He has not been paid his gratuity amount. He received his leave encashment at a delayed point of time.
4. Prayer has been made to pay the balance provident fund dues, the gratuity amount and interest on account of the delayed payment of leave encashment.
5. The dues claimed by the petitioner are all statutory dues and required to be paid immediately on retirement of the employee or soon thereafter. The petitioner retired

from service on 30<sup>th</sup> November, 2025 but his dues have not been paid till date.

6. In view of the above, the instant writ petition stands disposed of by directing the Managing Director, Calcutta State Transport Corporation, to take steps for releasing the balance 80 percent provident fund dues of the petitioner, his gratuity in full at the earliest but positively within a period of twelve weeks from the date of communication of this order.

7. As the petitioner will be receiving his terminal dues after some delay, accordingly, the amount due to him shall be accompanied with simple interest at the rate of six percent per annum calculated on and from the next date of retirement till the date of actual payment.

8. Interest at the above rate shall also be paid to the petitioner on account of delayed payment of his leave encashment.

9. If the due amount of the petitioner is not disbursed within the time limit stipulated hereinabove, then additional two percent simple interest, i.e.,  $6+2=8$  percent interest shall be payable to the petitioner.

10. The writ petition stands disposed of.

11. There is no proof of service upon the respondent no.6. Let a copy of the writ petition along with a copy of this order be served upon the respondent no.6 for compliance.

12. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Amrita Sinha, J.)**