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NANDY
(IG-DO)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/14683/2026

PRASANTA KUMAR BOSE
VS
THE STATE OF WEST BENGAL & ORS.

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

.....for the Petitioner

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

.....for the CSTC

1. Affidavit-of-service, as filed, be kept with the record.
2. In spite of service, there is no representation on behalf of the respondent nos. 1 and 2.
3. The petitioner is a retired employee of the Calcutta State Transport Corporation (CSTC). He retired from service on 31.03.2023 on attaining the age of superannuation. He alleges that he received his gratuity and leave salary belatedly.
4. The petitioner prays for interest on the delayed payment of his gratuity and leave salary. The petitioner also alleges that the pension that has been received does not include the dearness allowance component.
5. 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 31.03.2026 in **WPA/29126/2024** (*Prosun Talukdar & Ors. Vs. State of West Bengal & Ors.*).
6. The petitioner relies upon the said order and prays for similar reliefs.
7. 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.

8. 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 04.09.2025 and 14.01.2026.
9. In view of the afore-stated, the Managing Director, Calcutta State Transport Corporation, the respondent no. 5 herein, is directed to pay interest to the petitioner calculated at the rate of 6% per annum, being a reasonable rate, considering the bank rate of interest on Fixed Deposit.
10. This amount will be payable on and from the next date of his retirement till the date of actual payment, at the earliest but positively within a period of twelve weeks from the date of communication of this order.
11. The Managing Director of the Calcutta State Transport Corporation shall take steps for disbursing the Dearness Allowance component to 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.
12. In the event, the interest on the delayed payment of terminal benefit along with the dearness allowance component is not cleared within the time period stipulated hereinabove, then additional 2%, that is, $(6+2) = 8\%$ simple interest shall be paid to the petitioner on and from the next date of retirement till the date of actual payment.
13. With the afore-stated directions, the writ-petition is **disposed of**. No order as to costs.
14. Urgent Photostat Certified Copy of this order, if applied for, be given to the parties, upon usual undertakings.

(Reetobroto Kumar Mitra, J.)

