

WPA 28818 of 2025

Biswajit Hazra
Versus
The State of West Bengal & Ors.

Mr. L.R. Mondal
Mr. Sk. Kiran
... For the petitioners.

Mr. Biplab Guha
Mr. Sudip Kumar Maity
... For the State

Md. Sarwar Jahan
Mr. Sayantan Hazra
Mr. Subrata Ghosh
Ms. Sahina Parvin
... For the municipality

1. Pursuant to the order dated 25th March, 2026, Mr. Jahan learned advocate representing the Municipality has placed before this Court a cheque drawn in favour of the petitioner for a sum of Rs. 552693/-. Let the copy of the aforesaid cheque be retained with the record. Let the original cheque be made over to the learned advocate-on-record for the petitioner who is present in Court against a receipt to be issued by her and to be made over to Mr. Jahan in course of the day. Copy of such receipt also should be retained on the file. The affidavit has also been filed by the Chairman and Executive Officer explaining the circumstances for the delay in disbursal of the retiral benefits.

2. On the issue of payment of interest on account of delayed payment of gratuity, Mr. Jahan has drawn the attention of this Court to the accounts statement appearing at page 59 of the writ petition and would submit that the interest at the rate of 8% per annum has already been calculated till the financial year of 2023-2024.
3. The learned advocate for the petitioner, however, would submit that the petitioner is entitled to interest till the date of actual disbursement at the rate of 8% per annum.
4. Having heard the learned advocates appearing for the respective parties, I am of the view in the facts of the case if the petitioner is paid interest on the outstanding amount calculated from the date when the computation was made, till disbursal thereof, at the rate of 8% per annum, justice shall be sub-served.
5. Accordingly, the writ petition stands disposed of by accepting the explanation given by the Chairman and the Executive Officer of the municipality. Let the payment of interest as directed be made within a period of 4 weeks from date of communication of this order.

(Raja Basu Chowdhury, J.)