

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 22501 of 2023

**Rajkumar Rajbanshi
-versus
The State of West Bengal & Ors.**

**Mr. Kajal Ray.
...For the Petitioner.**

**Mr. Tapas Kumar Ghosh.
Mr. Tanmoy Chowdhury.
... For the respondent nos. 3 and 4.**

The petitioner is a retired employee of the Hooghly Chinsurah Municipality. He retired from service on 31st January, 2020. PPO was issued in his favour on 18th November, 2022.

Grievance of the petitioner is that part payment of the PPO has been made. The petitioner is yet to receive the arrear pension for 13 months, that is, from February 2020 till February 2021. The petitioner also prays for interest on account of delayed payment of his gratuity which was released in the month of November 2023.

The law requires the employer to ensure that the terminal dues of the employee are disbursed immediately upon retirement. The same ought not to be withheld without a valid reason. The terminal dues are not bounty but valuable rights in the hands of the retired employee.

In view of the above, the instant writ petition is disposed of by directing the municipality to disburse

the arrear pension for the period February 2020 to February 2021 along with the interest at the rate of 7% per annum to be calculated on and from the due date till the date of actual payment.

The Municipality shall also pay interest on account of the delayed payment of gratuity at the rate of 7% per annum from the date of his entitlement till the date of actual payment.

The aforesaid dues shall be cleared by the municipality at the earliest but positively within a period of four months from the date of communication of this order.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)