

ORDERSHEET

WESTBENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata-700091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. - QA-40 of 2023

KARAMJIT ADHIKARI & ORS - VERSUS - The State of West Bengal & Ors.

Serial No. and Date of order For the Applicant : None

07
19/11/2024 For the State Respondent : Mr. G.P. Banerjee,
Ld. Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned councils for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for the direction to the respondent authorities to release the interest on delayed payment of gratuity at the rate of 18% per annum.

From the submissions of learned councils, the Tribunal has come to know that an amount of Rs. 4,68,353/- has already been paid as interest at the rate of 5 % for the delayed release of his gratuity. The applicant is not satisfied with the 5 % rate of interest and claims the balance of Rs. 10,35,228/- as interest at higher rate, in support of his claim for higher rate of interest, Mr. Dey learned council presented copies at the rate of interest fixed by the RBI as shown in the bajajfinservmarkets.in/fixed-deposit.

What has been submitted, it is evident that the respondent authority has released Rs. 5,68,353/- as interest at the rate of 5 % for the delayed payment of gratuity. The applicant accepts the total of Rs. 10,35,228/- as the interest calculated from the rate of interest fixed by the RBI. The Tribunal is not satisfied with such contention of the applicant that a higher rate, higher than 5% should be calculated. It is clear that the rate of interest relied by the applicant is on fixed deposits whereas, the rate of interest in this case relates to delayed payment of gratuity, therefore this cannot be equated.

Therefore, the Tribunal fails to find any merit in this application and disposes the same without passing any orders.

SAYEEDAHMEDBABA
Officiating Chairperson & Member(A)