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(CO-DO)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA/4247/2026

JAYANTA BHADRA
VS
THE STATE OF WEST BENGAL & ORS.

Ms. Susmita Dey (Basu), Advocate
Mr. Kaustav Ghosh, Advocate
.....for the Petitioner

Mr. N.C. Bihani, Sr. Advocate
Mr. Soumyojit Ghosh, Advocate
.....for the CSTC

1. Affidavit of service, as filed, be kept with the record.
2. The petitioner is a retired employee of the Calcutta State Transport Corporation (CSTC). His allegation is that leave encashment which is available for a maximum period of 300 days has not been paid to him fully, except only for a period of 118 days. The payment of proportionate increase of leave salary for the balance period is due and payable.
3. Learned Counsel for the petitioner refers to the Government Order dated September 17, 2009 which clearly specifies payment of leave encashment up to 300 days to be borne by the organization.
4. The petitioner also relies upon various orders passed by this Court in similar matters where directions have been passed for taking a decision for payment of leave encashment for the full period.
5. Learned Counsel for CSTC admits the Government Order which has been relied upon by the petitioner.
6. In view thereof, I direct the Managing Director of CSTC to consider the representation dated 22.05.2024 for grant of leave encashment in the light of the Government Order dated September 17, 2009 and take

a decision at the earliest but positively within a period of eight weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner.

7. The Principal Secretary, Department of Finance, is directed to take immediate steps to cause such disbursal in favour of the respondent no. 5.
8. In the event the petitioner's prayer is accepted then necessary steps for releasing the due amount in favour of the petitioner shall be taken without any further delay.
9. With the afore-stated direction, the writ-petition is **disposed of**. No order as to costs.
10. Urgent Photostat Certified Copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Reetobroto Kumar Mitra, J.)