

10.03.2022
Item no.9.
Court No.6.
AB

CPAN 624 of 2018
In
WPA 10305 of 2017

Jayanti Mondal
Vs
Subhro Roy

Mr. Anup Dasgupta,
Mr. Somnath Bhattacharya,
Ms. Sharmistha Paulfor the Petitioner.

Mr. Bhaskar Prasad Vaisya,
Mr. Arindam Chattopadhyay,
Mr. Nilay Baran Mondal
....for the alleged Contemnor.

By an order dated July 19, 2017, WPA 10305 of 2017 was disposed of by directing the concerned Treasury Officer to pay to the petitioner interest at the rate of 9 percent per annum on the amount released in favour of the petitioner by way of pensionary benefit on and from June 15, 1990 till the date of issuance of Pension Payment Order.

Alleging non-compliance of the said order, the present contempt application was filed by the petitioner.

The Director of Pension, Provident Fund and Group Insurance preferred an appeal against the said order. Several other appeals involving identical point of law were also filed by the Director of Pension,

Provident Fund and Group Insurance. A bunch of such appeals including MAT 1858 of 2019 was disposed of by the Hon'ble Division Bench by a judgment and order dated March 24, 2021, whereby the orders impugned in such appeals were modified to the extent that interest on the arrear family pension shall be paid at the rate of 9 percent per annum from November 1, 2010 till the date of issuance of the Pension Payment Order.

In view of the aforesaid judgment and order of the Hon'ble Division Bench, I dispose of this contempt application by clarifying that the petitioner shall be entitled to interest on the arrear pensionary benefits on and from November 1, 2010 till the date of issuance of Pension Payment Order at the rate of 9 percent per annum. Such payment shall be made by the concerned Treasury Officer within two weeks from the date of a copy of this order being placed before him.

CPAN 624 of 2018 is, accordingly, disposed of treating the same as on day's list.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Arijit Banerjee, J.)