

*CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI*

11.9.2019

BP/BR 30

WPA 549 of 2019

Nihar Ranjan Dev

-vs-

The State of West Bengal & Ors.

Mr. Debajit Kundu

... for the Petitioner.

Let affidavit of service filed in Court today be kept on record.

Despite service of notice no one appears on behalf of the State –respondents.

The learned Advocate for the petitioner submits that having attained the age of superannuation, the petitioner **retired from service as a Teacher** of the concerned school on 31.08.2008. **The** Pension Payment Order was first issued in favour of the petitioner on 22.08.2008 **and** after introduction of ROPA, 2009 revised Pension Payment Order was issued on 02.01.2012. The petitioner received the retirement benefits on **09.02.2012 on the basis of ROPA 2009.**

Having regard to the order passed by the Hon'ble Division Bench dated 14th August, 2013 in MAT 1118 of 2013 read with the Circular dated 25th June, 2002

issued by the Joint Director of Treasuries and Accounts, West Bengal, there cannot be any dispute that the petitioner is entitled to interest on the amount of revised arrear pension based on ROPA, 2009, to be payable from 19th May, 2009.

In view thereof, this writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay to the petitioner interest on revised arrear pension @ 9% per annum from 19th May, 2009 till the date of actual payment within 16 weeks from the date of service of an authenticated copy of this order, failing which additional interest @ 2% per annum shall be payable to the petitioner.

The writ petition is disposed of without any order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Samapti Chatterjee, J.)

