

Court No. 24

24.09.2020

(DL 1)

(S. Banerjee)

WPA 4551 of 2020
(Old No. WP 4551(W) of 2020)

Manju Maiti

Vs.

The State of West Bengal & Ors.

Ms. Sabita Khutia (Bhunya), learned Advocate

... for the petitioner

Mr. Samsul Kabir Humayun, learned Advocate

... for the State-respondents

Affidavit of service filed in court be kept with the record.

Learned advocate for the petitioner submits that the petitioner's father retired from service as an employee of the concerned school on 30.11.1992 and he died on 16.09.2000. The Pension Payment Order was issued in the name of the petitioner's father on 19.11.2013. The arrear family pension was released on 31.12.2013.

Although the petitioner, who is an unmarried daughter of the deceased teacher, was entitled to payment of pensionary benefits with effect from 13.04.2010 as per applicable government circulars, the same was not paid. By way of the present writ petition, the petitioner prays for an order directing the respondents to pay interest on the delayed payment of family pension.

I have heard the learned advocates for the parties and have considered the orders passed by different learned Judges of this court on the same issue. It is settled law that pensionary benefits must be released in due time and if there is unexplained delay in releasing

such benefits, interest has to be paid to compensate the beneficiary for the delay in disbursing the benefits.

Accordingly, this writ petition stands disposed of with a direction upon the concerned Treasury Officer to pay to the petitioner interest on arrear family pension at the rate of nine per cent per annum with effect from 13.04.2010 till the date of actual payment, within twelve weeks from the date of communication of this order to the State-respondents.

Since no affidavit in opposition has been called for, the allegations contained in the writ petition are deemed not to be admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Arijit Banerjee, J.)