

Sl No.108
17.02.2020.
SB-II

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**WPA 92 of 2020
Surya Nath Singh
-versus
State of West Bengal & Ors.**

Mr. Deborshi Dhar
... for the petitioner.

Mr. Debabrata Dhar, Id AGP
Ms. Paramita Sahu
... for the State.

The petitioner is a retired permanent Lecturer of a college. He retired from service on June 30, 1998. According to the Revision of Pay and Allowances Rules, 2009 there was a revision of the pension and gratuity payable to the petitioner. The revised Pension Payment Order was issued in August 2017 and the arrear pension and gratuity in terms of the revised Pension Payment Order was disbursed on March 2, 2018.

The petitioner claims interest on the delayed payment of the revised arrear pension and gratuity.

The petitioner submits that since the revision order was with effect from January 1, 2006 the petitioner shall be entitled to interest on and from the said date.

I am not convinced with the argument advanced by the petitioner that he will be entitled to interest on and from January 1, 2006. In view of the fact that there was a revision of pay in 2009 the petitioner shall only be entitled to interest from the date of revision of pay with effect from May 19, 2009 till the date of actual payment.

I direct the concerned Treasury Officer to pay interest to the petitioner @ of 8% per annum on the

revised gratuity and revised arrear pension to be calculated on and from May 19, 2009 till the date of actual payment. Such payment is to be made within a period of eight weeks from the date of communication of a copy of this order to the Treasury Officer being the concerned authority.

WPA 92 of 2020 is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

Sh

(Amrita Sinha, J.)