

28/01/2021
Item No.78
Court No.7.
AB

Through Video Conference

W.P.A. 1758 of 2021

**Purabi Banerjee
-Vs-
The State of West Bengal & Ors.**

Ms. Sabita Khutia (Bhunya) ...for the Petitioner.

Affidavit-of-service filed in Court today be kept with the record.

In spite of service nobody appears on behalf of the State.

The material facts of the case are supported by records and hence I have not called for affidavits.

The petitioner was a teacher of a primary school and retired from service on 31.08.2017. The first pension payment order was issued on 30.10.2017. Under the ROPA Rules, 2019 there was revision of the pension and gratuity amount payable to the petitioner. The revised pension payment order was issued on 20.10.2020 and the gratuity amount and arrear pension was disbursed on 20.11.2020 in terms of ROPA, 2019. The petitioner claims interest on delayed payment of revised pension and revised gratuity.

I have heard learned counsel for the petitioner and I have considered the orders passed by this Court in similar facts. It is settled law that a retired employee is entitled to some amount of interest on delayed payment of pension and gratuity.

In view of the aforesaid, I direct the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal as also the concerned Treasury Officer to pay interest to the writ petitioner at the rate of nine per cent per annum on the revised gratuity amount and arrear revised pension calculated on and from 01.02.2020 till actual date of payment.

Such payment is to be made within eight weeks from the date of communication of the certified copy of this order to the concerned authorities.

Since no affidavit-in-opposition has been invited, the allegations contained in the writ petition are deemed not to be admitted.

WPA 1758 of 2021 is, accordingly, disposed of.

There will be no order as to costs.

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

(Arijit Banerjee, J.)