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WPA 2429 OF 2021
(Through Video Conference)

Debrani Mukherjee
Vs.
The State of West Bengal & Ors.

Mr. Rajesh Kumar Shah
... for the Petitioner
Mr. Arun Kr. Saha
... for the State

Affidavit of service filed in court today is kept with the record.

The petitioner's husband was a Head Teacher of a Primary School who retired on 31.03.1996. The petitioner's husband died on 01.12.2009. The petitioner's husband had completed all pension-related formalities. The Pension Payment Order was issued on 18.09.2000. However, the concerned authorities delayed and released the arrear pension amount on 31.12.2000. The petitioner herein seeks interest to be paid on the arrear pension amount.

There is a considerable delay in filing of the writ petition, which the petitioner seeks to justify by stating that there is no statutory period of limitation and neither parties have suffered due to this delay. It is the submission of the petitioner that accordingly the petition should be allowed. The petitioner relies upon an order in W.P. 6649 (W) of 2019 (Padma Nath vs. State of West Bengal & Ors.) of the co-ordinate Bench in support of his submission.

In view of the above and after hearing the learned Counsel for the parties, 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 petitioner @ 8%

per annum on the arrear pension amount calculated on and from 1.04.1996 till the date of actual payment.

Such payment is to be made within a period of eight weeks from the date of communication of this order.

This writ petition is disposed of, however, no order as to costs.

Since, no affidavit-in-opposition is called for, the allegations made in the writ petition are deemed to have been denied.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajarshi Bharadwaj, J.)