

11.02.2021.
Item no. 90.
Court No. 13
ap

**W.P.A. No. 3900 of 2021
(Through Video Conference)**

Tarapada Mukherjee
Versus
The State of West Bengal & Ors.

Mr. Biswajit Mal.

...For the petitioner.

Mr. Arun Kumar Saha.

...For the State.

The affidavit-of-service filed by the learned Advocate for the petitioner in Court today be taken on record.

The learned Advocate for the petitioner submits that the petitioner was a Group – “D” (Peon) and he retired from service on 28.02.2011. Pension Payment Order was issued in favour of the petitioner on 31.01.2012 and the gratuity of the petitioner was released on 12.10.2006.

Although the petitioner was entitled to payment of pensionary benefit from the date of his retirement, the same was not paid. By representing this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of gratuity.

I have heard the learned Advocate for the petitioner and have also considered the orders passed by different Hon’ble Judges on the writ petitions involving similar issues.

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 gratuity @ 9% per annum from the date of retirement of the petitioner 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.

There will be no 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.

(Rajasekhar Mantha, J.)