

10.02.2021.
Item no.67.
Court No. 13
ap

**W.P.A. No. 3902 of 2021
(Through Video Conference)**

Khandi Ghorai
Versus
The State of West Bengal & Ors.

Mr. Biswajit Mal.

...For the petitioner.

Mr. Tapas Kumar Kundu.

...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 Panchayat Karmee and he retired from service on 31st July, 1997. He thereafter died on 16th February, 2007. Pension Payment Order was issued in favour of the petitioner on 17th November, 2000 and the gratuity as well as arrear pension of the petitioner was released on 25th June, 2001.

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 arrear pension.

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 as well as arrear pension @ 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.)