

05.03.2021.

W.P.A. 4816 of 2021

Fozle Nobi Mallick Vs The State West Bengal & Ors.

Mrs. Sabita Khutia (Bhunya)
... For the Petitioner.

Ms. Sujata Ghosh
... For the State.

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

The petitioner was a Teacher of the Primary School, who retired from service on 31.12.2018. The first pension Payment Order was issued in favour of the petitioner 15.02.2019 and after introduction of ROPA 2019, revised pension payment order was issued on 01.12.2020. The petitioner received the retirement benefits on the basis of first PPO on 31.03.2019 and received the revised gratuity and revised arrear pension on 01.02.2021 on the basis of ROPA 2019.

Having regard to the order passed by the Hon'ble Division Bench of this Court dated August 14, 2013 in MAT 1118 of 2013 read with the circular dated June 25, 2002 issued by the Joint Director of Treasuries and Accounts, West Bengal, there cannot be any dispute that the petitioner is entitled to interest on the amount of revised arrear pension based on ROPA 2009, to be payable from May 19, 2019.

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 the delayed payment of gratuity and pension as per the first PPO from the date of retirement till the date of actual payment and also interest on revised gratuity and revised arrear pension @ 8% per annum from 14.02.2020 till the date of actual payment within four weeks from the date of service if an authenticated copy of this order.

With the aforesaid observation and directions, this writ application stands disposed of.

There will, however, be no order as to costs.

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

(Rajarshi Bharadwaj, J.)