

08-04-2021
ct no. 13
Sl.346
pk

WPA 5353 of 2021

Sanjoy Kumar Maji
-Versus-

State of West Bengal & Ors.

Mr. Bidhan Biswas

...for the petitioner

Despite service of notice, none appears on behalf of the State.

Affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.

The learned Advocate for the petitioner submits that the petitioner was an approved Gram Panchayat employee and he retired from service on 31.08.2011. Pension Payment Order was issued in favour of the petitioner on 20.07.2012 and the gratuity amount of the petitioner was released on 13.05.2014.

Although the petitioner was entitled to payment of his gratuity from the date of his retirement, the same was not paid. By presenting 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 photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)