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19.03.2021.

W.P.A. 6383 of 2021

**Bijali Das Vs The State West Bengal & Ors.**

**Mr. Goutam Kumar Maity**  
... For the Petitioner.  
**Ms. Debarati Sen (Bose)**  
... For the State.

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

The husband of the petitioner was an Assistant Teacher of a Primary School. The husband of the petitioner died on 14.02.1985. The petitioner had completed all his pension-related. The pension payment order was issued on 01.04.1992. However, the concerned authorities delayed and released the arrear pension amount on 08.06.1992. The petitioner herein seeks interest to be paid on the gratuity and arrear pension for the interim period of delay in receipt of the gratuity and 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 judgement/order in **W.P. No. 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 gratuity and arrear pension amount calculated from 15.02.1985 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.

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

Since no affidavits have been invited, the allegations contained in the writ petition are deemed not to have been admitted by the respondents.

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

**(Rajarshi Bharadwaj, J.)**