

13.04.2021
Ct. No.13
Sl. No.326
pk

W.P.A. 9471 of 2021 [via video conference]

[Sachi Rani Sardar & Ors. -Vs- The State of West Bengal & Ors.]

Mr. Tamal Taru Panda

... .. for the petitioners

Despite service of notice, none appears on behalf of the State-respondents. Affidavit of service filed in Court today be kept with the record.

The learned Advocate for the petitioners submits that the husband of the petitioner no.1 was a Panchayat employee who died-in-harness on 05.11.2006. Pension Order was issued in favour of the petitioners on 20.11.2008 and the gratuity & arrear pension of the petitioners was released on 23.07.2009.

Although the petitioners were entitled to payment of pensionary benefit from the date of the retirement of the petitioner no.1, the same was not paid. By presenting this writ petition, the petitioners pray for an order on the respondents to award interest on delayed payment of arrear pension and gratuity.

I have heard the learned Advocate for the petitioners 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 petitioners interest on gratuity & arrear pension @ 9% per annum from the date of death of the petitioner no.1 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 shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Rajasekhar Mantha, J.)