

27.04.2021

Ct. No.13

Sl. No.223

pk

W.P.A. 9494 of 2021 [via video conference]

[Asoke Kumar Das -Vs- The State of West Bengal & Ors.]

Mr. Anup Dasgupta

... .. for the petitioner

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

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

The learned Advocate for the petitioner submits that the petitioner was an employee of the Gram Panchayet and he retired from service on 31.11.2011. Pension Order was issued in favour of the petitioner on 01.08.2012 and the gratuity of the petitioner was released on 28.09.2012.

Although the petitioner was entitled to payment of pensionary benefit including 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 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.)