

27.04.2021
Ct. No.13
Sl. No.233
pk

W.P.A. 9685 of 2021 [via video conference]

[Kalipada Modak -Vs- The State of West Bengal & Ors.]

Mr. Biswajit Mal

... .. 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 a Job Assistant and he retired from service on 31.10.2012. Pension Payment Order was issued in favour of the petitioner on 09.07.2013 and the gratuity amount of the petitioner was released on 02.08.2013.

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 amount @ 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.)