

27.04.2021
Ct. No.13
Sl. No.251
pk

W.P.A. 9752 of 2021 *[via video conference]*

[Chaya Duley -Vs- The State of West Bengal & Ors.]

Mr. Amit Kumar Bayen
... .. for the petitioner

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 petitioner submits that the petitioner's husband was a Group-D staff of Netigram Gram Panchayat and he retired from service on 28.02.2016. He thereafter died on 17.07.2019. Pension Order was issued in favour of the petitioner on 24.11.2016 and the arrear amount of the petitioner was released on 06.04.2017.

Although the petitioner was entitled to payment of his pensionary benefit 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 as well as arrear pension @ 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.)