

Item No. 11
07.04.2021
Kole

**CPAN 621 of 2018
In
WPA 10296 of 2017**

**Saraswati Jana
-Vs-
Anjan Saha & anr.**

Mr. A. Dasgupta,

.... For the petitioner.

Mr. Bhaskar Vaisya

Mr. Arindam Chattopadhyay.

...for the alleged contemnors

By an order dated July 19, 2017, WP 10296 (W) of 2017 was disposed of by directing the concerned Treasury Officer to pay to the petitioner interest at the rate of 9 per cent per annum on the amount released in favour of the petitioner by way of pensionary benefit on and from June 15, 1990 till the date of issuance of Pension Payment Order.

Alleging non-compliance of the said order, the present contempt application was filed by the petitioner.

The Director of Pension, Provident Fund and Group Insurance preferred an appeal against the said order. Several other appeals involving identical point of law were also filed by the Director of Pension, Provident Fund and Group Insurance. A bunch of such appeals including MAT 1858 of 2019 was disposed of by the Hon'ble Division Bench by a judgment and order dated March 24, 2021, whereby the orders impugned in such appeals were modified to the extent

that interest on the arrear family pension shall be paid at the rate of 9 per cent per annum from November 1, 2010 till the date of issuance of the Pension Payment Order.

Learned Advocate for the petitioner before me submits that an appeal has also been preferred from the order passed in the present case and the same will come up for disposal before the Hon'ble Division Bench in line with the Hon'ble Division Bench order dated March 24, 2021.

In view of the aforesaid judgment and order of the Hon'ble Division Bench, I dispose of this contempt application by clarifying that the petitioner shall be entitled to interest on the arrear pensionary benefits on and from November 1, 2010 till the date of issuance of Pension Payment Order at the rate of 9 per cent per annum. Such payment shall be made by the concerned Treasury Officer within two weeks from the date of a copy of this order being placed before him.

CPAN 621 of 2018 is accordingly disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Arijit Banerjee, J.)