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05.10.2021
Ct. No.23
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
(Through Video Conference)

WPA 16273 of 2021

Labani Banerjee
Vs.
The State of West Bengal & Ors.

Mr. Lakshman Chandra Halder
... for the petitioner.

Ms. Deblina Chattaraj
... for the WBTC.

Affidavit of service filed in Court today is taken on record.

The petitioner's husband while in employment of Calcutta Tramway Company (1978) Ltd. (in short "CTC") now known as West Bengal Transport Corporation (in short "WBTC") died on 19th November, 2013. The petitioner claims interest on delayed payment of benefits under the Revision of Pay and Allowance Rules, 1998 (in short "ROPA 1998") which is applicable to her deceased husband.

The issue sought to be raised in the instant writ petition is squarely covered by a recent judgment and order of this Court dated 14th September, 2021 passed in WPA 7490 of 2021 (Vivekananda Halder & Ors. v. The State of West Bengal & Ors.).

As such, this writ petition is disposed of with the similar directions as rendered in the above-mentioned writ petition, which are as follows:-

The respondents shall pay interest from the date of accrual of the amounts claimed in respect of the petitioner's husband till actual payment of such arrears, less interest, if any, already paid, at the rate of 7% per annum to the petitioner within a period of six months from the date of communication of a server copy of this order without insisting upon production of a certified copy.

In default of payment of the aforesaid interest within a period of six months, the rate of interest shall increase to 8 per cent.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)