

28.09.2021
Sl. No.29
akd

***Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction***

W.P.A. 1459 of 2021 [via video conference]

[Minati Roy -Vs- The State of West Bengal & Ors.]

Mr. Biswajit Mal
... .. for the petitioner

Mr. Hirak Barman
Mr. Pretom Das
... .. for the State

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 appointed as Assistant
Teacher High School and he retired from service on
31.12.2003. He thereafter died on 17.11.2019. Pension
Order was issued in favour of the husband of the
petitioner on 06.10.2005 and the gratuity of the
petitioner's husband was released on 02.01.2006.

Although the petitioner's husband was entitled to
payment of 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 parties
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's husband 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.)