

29.09.2021  
Sl. No.30  
akd

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

**W.P.A. 1483 of 2021** [via video conference]

***[Gourimaya Pradhan -Vs- The State of West Bengal & Ors.]***

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

Mr. Bikramaditya Ghosh  
Ms. Bedashruti Bose  
... .. 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 in primary school and he retired from service on  
30.09.2013. Pension Order was issued in favour of the  
husband of the petitioner on 26.09.2014 and the gratuity  
and arrear pension of the petitioner's husband was  
released on 02.01.2015. He thereafter died on  
06.02.2020.

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 and arrear pension.

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 as well as arrear pension @ 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.)***