

23-12-2021
Court No.2
Sl.no.30
sn

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

W.P.A. No. 2535 of 2021
Sewan Upreti
Versus
The State of West Bengal & Ors.

Ms. Arpita Saha
Mr. Debajit Kundu
...for the Petitioner.
Mr. Bikramaditya Ghosh
Mr. Momenur Rahman
...for the State.

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

The husband of the petitioner was an assistant teacher in a high school, who died on March 8, 2019 while he was in service. The pension Payment Order was first issued in favour of the petitioner on **06-03-2020** and after introduction of ROPA, 2019, revised pension payment order was issued on **02-09-2021**. The petitioner received the retirement benefits on **10-09-2021** on the basis of ROPA 2019.

Having regard to the order passed by the Hon'ble Division Bench of this Court dated August 14, 2013 in MAT 1118 of 2013 read with the circular dated June 25, 2002 issued by the Joint Director of Treasuries and Accounts, West Bengal, it was held that there could not be any dispute to the entitlement of interest on the amount of revised gratuity and revised arrear pension based on ROPA 2009, to be payable from May 19, 2009. Thus, in this case as well, the same ratio would apply with

regard to payment of interest after ROPA, 2019 had come into effect.

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 the revised gratuity and revised arrear pension @ 8% per annum from February 14, 2020 till the date of actual payment within four weeks from the date of service of an authenticated copy of this order.

Needless to mention that before any disbursement is made, the disbursing authority shall satisfy himself about the genuineness of the claim and verify the signature and identity of the claimant, who is before this Court.

With the aforesaid observation and directions, this writ application stands disposed of.

There will, however, be no order as to costs.

Urgent Photostat certified copy of this order, if applied for be given to the petitioner on priority basis.

(Shampa Sarkar, J.)