

29.08.2022
Court No.13
Item No.27
AP

WPA 119 of 2022

Samir Kumar Jana

Vs.

The State of West Bengal & Ors.

Mr. Arijit Pradhan
Ms. Priyanka Saha
Ms. Komal Singh

... For the Petitioner.

Mr. Malay Singh
Ms. Neelam Singh

... For the State.

The petitioner acquired a postgraduate degree in Bengali on 1st October 2003. Pursuant to the benefit of ROPA 1998, the petitioner applied for higher scale of pay and was allowed the same on 31st March 2017 with effect from 1st October 2003. The arrears of the petitioner were calculated on 16th February 2018 to the sum of Rs.11,27,379/- and the same were paid to the petitioner on 1st November 2019.

This Court has no hesitation that the petitioner is entitled to interest from the date of entitlement i.e. 1st October 2003 till the date of actual payment i.e. 1st November 2019.

Under these circumstances, the petitioner shall be paid interest at the rate of 7 percent per annum on the aforesaid sum of Rs.11,27,379/- from 1st October 2003 till 1st November 2019.

Let the interest as above be paid to the petitioner mandatorily and positively within a period of two months from the date of receipt of a copy of this order by the respondents.

In default of payment with the period of time stipulated hereinabove, the rate of interest shall be increased from 7 percent to 9 percent.

The aforesaid order is passed on the basis of oral submission made by the learned counsel for the petitioner and on the basis of the law as it stands and given the fact that the petitioner is a retired teacher under the State.

With the aforesaid directions, the writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)