

30.06.2022
Court No.13
Item no.406
AP

WPA 5382 of 2021

Jayanti Mukherjee (Chakraborty)
Vs.
The State of West Bengal & Ors.

Mr. Dwijadas Pattanayak

..For the petitioner.

The affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.

The learned Advocate for the petitioner submits that the petitioner's husband was teacher of a school and died-in-harness on 30.10.2014. Pension Payment Order was issued in favour of the petitioner on 01.10.2019 and Gratuity & Arrear Pension of the petitioner was released on 06.12.2019.

Although the petitioner was entitled to payment of pensionary benefit from the date of died-in-harness (30.10.2014), the same was not paid. By representing this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of arrear pension & gratuity.

I have heard the learned Advocate for the petitioner and have also considered the orders

passed by different Hon'ble Judges on the writ petitions involving similar issues.

In view thereof, the writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay the petitioner interest on gratuity & arrear pension @ 9% per annum from the next date of died-in-harness 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 will be no order as to costs.

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

(Rajasekhar Mantha, J.)