

07.07.2022
Item No. 16
Crt.No.11
b.r.

WPA No. 5636 of 2018
Samitava Kumar Mandal
-vs-
The State of West Bengal & Ors.

Mr. Sabyasachi Mondal
Mr. Sayan Mukherjee
..... for the petitioner.

Mr. Biswarup Biswas
..... for the State.

Party/parties is/are represented in the order of their name/names as printed above in the cause title.

In the present writ application being WPA 5636 of 2018, the writ petitioner has prayed for forthwith disbursement of the arrears of his pay for the period between September 15, 2001 and November 30, 2015 at a Higher Scale of Pay on account of pursuing a Post Graduate Degree in Geography.

By an order dated August 27, 2019 passed by a Co-ordinate Bench of this Hon'ble Court, it was recorded that a sum of Rs. 2,70,665/- towards the arrears claim of the writ petitioner has been disbursed by the District Inspector of Schools (S.E.), Purba Medinipur *vide* its Memo No. 226-S(6) dated November 15, 2016.

In order to fathom of the entitlement of the petitioner in respect of interest, the Respondent/State

Authorities were directed to file an Affidavit-in-Opposition.

Mr. Biswas, Learned Counsel, appearing for the State submits that no opposition has been filed in the instant matter.

Considering the submissions made by Mr. Mondal, Learned Counsel, appearing on behalf of the petitioner, I find that the petitioner is entitled to interest since due to no fault of his own, arrears of pay were not disbursed to him, till August 7, 2019.

In the facts and circumstances of the case, I direct interest @ of Rs. 6% per annum, keeping in mind the rate of interest of fixed deposits at Nationalised Banks to be payable to the petitioner from September 15, 2001 (date of accrual) till August 7, 2019 (date of actual payment).

I direct the District Inspector of Schools (S.E.), Purba Medinipur/Respondent No.3 and the Treasury Officer, Tamluk/Respondent No.4 to take immediate steps so that the necessary disbursement can be made within four weeks from the date of communication of this order.

Since no Affidavit-in-Opposition has been filed, the allegations made in the petition are deemed to have been not admitted by the Respondents.

WPA 5636 of 2018 is accordingly disposed of.

All parties to act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostate certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)