

**WPA 5639 of 2018**

**Santwana Ghosh (Bera)**

**-Vs-**

**State of West Bengal & Ors.**

**Mr. Sabyasachi Mondal**

**Mr. Sayan Mukherjee**

**... for the petitioner**

**Mr. Bhaskar Prasad Vaisya**

**Mr. Suman Dey**

**... State**

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

The writ petitioner superannuated from the post of Headmistress on June 30, 2016.

Initially, she joined the school as an Assistant Teacher and subsequently she was appointed to the post of headmistress of the school. Her pay was duly re-fixed by the District Inspector (D.I.) of Schools (S.E.), Purba Medinipur on March 16, 2015 by a Memo dated September 11, 2015. The D.I. of Schools, (S.E.) sent a proposal to the Commissioner of School Education, West Bengal for making payment of Rs.1,13,599/- towards the arrear dues to the petitioner on account of such re-fixation of pay.

It is submitted by the Learned Counsel appearing for the petitioner that on July 24, 2019, the writ petitioner received the aforesaid amount of

Rs.1,13,599/-. He submits that the petitioner is entitled to interest on the said amount on account of belated payment.

This Court finds that Affidavits have been exchanged between the parties.

Considering the rival submissions made by the parties, this Court finds that the petitioner is entitled to interest since due to no fault of her own, the arrears on account of re-fixation of pay were not disbursed to her till July 24, 2019.

In the facts and circumstances of the case, I direct interest at the rate of 6% per annum keeping in mind the rate of interest of fixed deposits at nationalised banks, to be payable to the petitioner from August 1, 2001 (date of accrual) till July 24, 2020 (date of actual payment).

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

**WPA 5639 of 2018** is accordingly **disposed of**.

All parties to act on a server copy of this order duly obtained from the official website of the Hon'ble

High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

**(Lapita Banerji, J.)**