

Item No. 131

19.05.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 7455 of 2022
Ruma Deb & Ors.

v.

The State of West Bengal & Ors.

Ms. Sudipa Biswas
... for the petitioners.

Ms. Susmita Biswas Chowdhury
... for the State.

The petitioners are the heirs and legal representatives of one Gouranga Deb who was an Assistant Teacher of a primary school. The teacher died-in-harness on March 14, 2019. Pension Payment Order was issued in favour of the heirs of the deceased on March 18, 2020 and payment disbursed on August 22, 2020.

The petitioners claim interest on delayed payment of the terminal benefits.

It appears that as the teacher died-in-harness it was not possible for the respondent authorities to immediately process the file for disbursing the terminal benefits of the deceased teacher. Had the teacher retired on attaining the normal age of superannuation, then the documents would have been submitted eighteen months prior to the date of retirement.

In the present case, the Pension Payment Order was issued immediately after a year of death of the deceased teacher.

It is not a fit case where direction should be passed for payment of interest. There is hardly any delay on the part of the respondent authorities to disburse the terminal benefits of the deceased teacher.

The writ petition fails and is hereby dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)