

14.06.2022
ct. no. 13
sl. 123
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**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 8929 of 2021

**Gita Kundu
-versus
The State of West Bengal & Ors.**

**Mr. Biswajit Mal
...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 an Assistant Teacher of a High School and he died-in-harness on 11.07.2003. Pension Payment Order was issued in favour of the petitioner on 03.12.2004 and the gratuity & arrear pension amount of the petitioner was released on 05.04.2005.

Although the petitioner was entitled to payment of pensionary benefit, 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 gratuity and arrear pension amount.

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 and arrear pension @ 9% per annum from the next date of death 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.)