

18.07.2022.
Item no. 512.
Court No. 13
ap

W.P.A. No. 10282 of 2021

Debashis Chakraborty
Versus
The State of West Bengal & Ors.

Mr. Sakti Pada Jana.

..For the petitioner.

Affidavit-of-service filed in Court today is taken on record.

Pursuant to an order dated 27th July, 2020 passed in W.P. No. 68 of 2020 by a Co-ordinate Bench of this Court the commuted value of pension was released to the petitioner on 8th January, 2021. The writ petitioner retired from service on 30th June, 2017.

It is an admitted position that the interest accrues to an employee on delayed payment of lawful retiral benefits.

The aforesaid position is a settled law in catena of decisions of the Hon'ble Supreme Court of India.

In that view of the matter, the petitioner shall be entitled to interest at the rate of 7% per annum from the next date of his retirement on the actual amount of commuted pension released to him until 8th January, 2021. The said amount shall be released to the petitioner within one month into his pension payable Bank Account.

In default of payment of the interest component as indicated hereinabove within the stipulated period, the rate of interest shall stand increased to 8% per annum.

With the aforesaid directions, the instant writ petition is disposed of.

There will be no order as to costs.

Urgent certified website copy of this order, if applied for, be made available to the petitioner upon compliance with the requisite formalities.

(Rajasekhar Mantha, J.)