

29.06.2022
Court No.13
Item No.384
AP

WPA 10264 of 2022

Subrata Tripathy
Vs.
The State of West Bengal & Ors.

Mr. Sayan De
Mr. Kaustav Shome

... for the petitioner

Mr. Yusuf Ali

... for the State

Let the affidavit-of-service filed in Court today
be kept on the record.

Learned Advocate appearing for the petitioner
submits that having attained the age of
superannuation, the petitioner retired from service as
an Assistant Teacher of the school in question on
30.09.2020. Pension payment order was issued in
favour of the petitioner on 18.02.2022 and retirement
benefit of the petitioner was released on 22.02.2022.

Although the petitioner was entitled to
payment of pension from the date of retirement, the
same was not paid. By presenting this writ petition,
the petitioner prays for an order on the respondents to
award interest on delayed payment of pension and
gratuity.

I have heard the learned Advocate for the
parties and also considered the order passed by
different Hon'ble Judges on the writ petitions
involving similar issues. It is reported that the State
has accepted all such orders.

In view thereof, this writ petition stand disposed of with the direction upon the respondents and particularly the concerned Treasury Officer to pay to the petitioner interest on gratuity @ 9% per annum from the date of retirement 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 from the date of communication of this order till the date of actual payment.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Rajasekhar Mantha, J.)