

6.9.2022
Sl.No.26
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WPA 11928 of 2021

Debala Sarkar
Vs.
The State of West Bengal & Ors.

Mr. N.C. Mondal
Mr. Bhaskar Mondal
Ms. A. Bharati ..for the petitioner

The petitioner's husband was an employee under Hatgachi Gram Panchayat. Between December 14, 2002 to March 17, 2010, the husband of the petitioner was under suspension due to pendency of a criminal case. He received subsistence allowance. After acquittal from the criminal case, the petitioner's husband joined his service on March 18, 2010. The husband of the petitioner retired from his service on January 31, 2016. On February 28, 2017, the petitioner's husband expired.

The Pension Payment Order was issued in favour of the petitioner on November 8, 2017. The death-cum-retirement benefits were released on December 13, 2017. The arrear salary was paid on April 2, 2021.

The petitioner prays for interest on delayed payment of benefits of her husband. The petitioner further prays for interest on the arrear salary which was disbursed on April 2, 2021.

Reliance has been placed on the passbook in order to show that the amount was credited on April 2, 2021.

This writ petition is disposed of with a direction upon the Treasury Officer, Basirhat, to pay interest @ 8% per annum on the pension and gratuity amount that was receivable by the petitioner's husband from the date of retirement of her husband, till the date of actual payment made to the petitioner. The Treasury Officer is further directed to pay interest on the arrear salary, which was credited to the petitioner's bank account after demise of her husband, @ 4% per annum from March, 2014 till the date of actual payment of the arrear salary. Such payment shall be disbursed within 12 weeks from the date of communication of this order.

This writ petition is disposed of.

There will be, however, no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)