

25.07.2022
Court No. 13
Item No. 446

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IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 11762 of 2022

Jaharlal Dhara
-versus
State of West Bengal & Ors.

Mr. Banshi Badan Maity
...For the Petitioner.

Mr. Subrata Das Gupta
...for the State

The affidavit-of-service filed by the learned Advocate for the petitioner in Court today be kept with the record.

The learned Advocate for the petitioner submits that the petitioner was an Assistant Teacher of a school and retired from service on 31.01.2021. Pension Payment Order was issued in favour of the petitioner on 09.07.2021 and the gratuity & Arrear Pension amount of the petitioner was released on 24.12.2021.

Although the petitioner was entitled to payment of pensionary benefit from the date of her 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 arrear pension & gratuity.

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, this writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay interest to the petitioner on gratuity & arrear pension amount @ 9% per annum from the date of retirement of the petitioner 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.)