

25.07.2022
rc/ct.no.13
Item No.477

WPA No. 11815 of 2022
Asok Kumar Chattopadhyay
Versus
The State of West Bengal & Ors.

Mr. Arun Khutia ...for the petitioner

Mr. Benazir Ahmed ...for the State

Affidavit of service filed in Court today is 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 28.02.2021. Pension Payment Order was issued in favour of the petitioner on 01.01.2022 and the gratuity & Arrear Pension amount of the petitioner was released on 06.01.2022.

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.

Since no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, be given to the parties.

(Rajasekhar Mantha,J)