

22.07.2022
Sl. No.551
ap

W.P.A. 12337 of 2022

Amal Kumar Sinharay
-Vs-
The State of West Bengal & Ors.

Mr. Arun Khutia.
... .. for the petitioner
Mr. Subhendu Sengupta.
...for the State.

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, who retired on 30.06.2012. Pension Payment Order was issued in favour of the petitioner on 23.11.2017 and the gratuity and arrear pension of the petitioner was released on 05.12.2017.

Although the petitioner was entitled to payment of pensionary benefit from the next date of his 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 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 @ 9% per annum from the date of death of the husband 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.)