

17.08.2022
Court No.13
Item No.703
AP

WPA 12437 of 2022

**Mihir Lal Dutta
Vs.
The State of West Bengal and Ors.**

Mr. Uttam Kumar Roy

... For the Petitioner.

Mr. Sk. Musior Rahaman

... For the State.

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

The learned Advocate for the petitioner submits that the petitioner was teacher of a school and retired from service on 30.06.2003. Pension Payment Order was issued in favour of the petitioner on 03.06.2003 and Gratuity of the petitioner was released on 17.03.2004.

Although the petitioner was entitled to payment of pensionary benefit from the date of his retirement, the same was not paid. By representing this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of arrear pension and 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, the 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 next 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.

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.)