

22.08.2022.
Court No. 13
Item no. 652.
sp

W.P.A. No. 12542 of 2022

Dalia Sen (Baksi)
Versus
The State of West Bengal & Ors.

Mr. Banshi Badan Maity
..For the petitioner.

Mr. Munshi Mijanur Rahaman
...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's husband was a Head Teacher of a school and died-in-harness on 21.06.2007. Pension Payment Order was issued in favour of the petitioner on 31.03.2009 and the Gratuity & Arrear Pension of the petitioner was released on 31.08.2009.

Although the petitioner was entitled to payment of pensionary benefit from the date of death, 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 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, 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 and arrear pension @ 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.)