

30.08.2022
Item No. 1247
Court No.13.
AGM/CHC

WPA 13087 OF 2022

Md. Ashraful Islam
Vs.
State of West Bengal & Ors.

Mr. Banshi Badan Maity,
...for the petitioner.

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

The learned Advocate for the petitioner submits that the petitioner's father was an Assistant Teacher and he retired from service on 30.06.2010. He thereafter died on 13.11.2016. Pension Payment Order was issued in favour of the petitioner on 27.11.2012 and the gratuity amount of the petitioner was released on 03.01.2013.

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 gratuity amount.

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 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.)