

27.09.2022
Item No.134
Court No.18
AJ.

W.P.A. 13175 of 2022

Shibani Mondal & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Banshi Badan Maity.

.....for the petitioners.

Ms. Soumi Guha Thakurta.

.....for the State.

Affidavit-of-service filed by the learned advocate for the petitioners be kept with the record.

The husband of the petitioner no.1 was an approved Non-teaching Staff (Group-D) of a secondary school and retired from her service on superannuation on October 30, 2017.

The Pension Payment Order of the husband of the petitioner no.1 was issued on December 03, 2019 in pursuance whereof she received the gratuity and the arrear Pension on January 13, 2020.

In the instant writ petition the prayer of the petitioners is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of arrear pension and gratuity for the delayed payment.

Learned Advocate for the petitioners does not oppose the prayer of the petitioner.

It is now well settled that the petitioners are entitled to the interest, as prayed for.

The respondents, the concerned Treasury Officer in particular are, therefore, directed to pay interest @ 8% per annum on the arrear amount of pension and gratuity from the date of death of the husband of the petitioner no.1 till the date of such payment.

The payment as aforesaid shall be made within the period of eight weeks from the date of communication of this order, in default the said arrear amount shall fetch an additional interest of 2% per annum.

W.P.A. 13175 of 2022 stands disposed of, with the above directions. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)