

31.10.2022
Item No.158
Court No.18
SK

W.P.A. 13317 of 2022

Mir Nashir Uddin
-Vs-
The State of West Bengal & Ors.

Mr. Banshi Badan Maity
.....for the petitioner.
Mr. Atarul Hoque Molla
... for the State.

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

The petitioner was an approved Non-Teaching
Staff (Clerk) of a secondary school and retired from
his said service on superannuation on January 31,
2016.

The Pension Payment Order of the petitioner
was issued on September 07, 2018 in pursuance
whereof he received the gratuity and the arrear
Pension on November 16, 2018.

In the instant writ petition the prayer of the
petitioner 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 State-respondents
does not oppose the prayer of the petitioner.

It is now well settled that the petitioner is
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 retirement of the petitioner 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. 13317 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.)