

25.11.2022
Item No.89
Court No.18
SK

W.P.A. 13495 of 2022

Jabeda Begam
-Vs-
The State of West Bengal & Ors.

Ms. Sudipa Biswas
.....for the petitioner.
Mr. Somnath Mukhopadhyay
... for the State.

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

Leave is granted to the learned advocate for the
petitioner to correct the list of dates of the petitioner.

The husband of the petitioner was an approved
Assistant Teacher of a secondary school and retired
from his service on superannuation on October 31,
1997 and died on July 29, 2020.

The Pension Payment Order of the employee
concerned was issued on June 12, 2000 in
pursuance whereof he received the gratuity and the
arrear Pension on July 11, 2000.

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 gratuity and the arrear pension 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 gratuity and the arrear amount of pension from the date of retirement of the employee concerned 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. 13495 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.)