

23.09.2022
Item No.98
Court No.18
P.Jana.

W.P.A. 13545 of 2022

Santimoy Jana & anr.
-Vs-
The State of West Bengal & Ors.

Mr. Sudipta Maiti,
.....for the petitioner.
Mr. Amit Kumar Ghosh,
... for the State.

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

The wife of the petitioner no. 1 was an approved Assistant Teacher of a secondary school and she died-in-harness on November 25, 2016.

The Pension Payment Order of the petitioners was issued on October 24, 2017 in pursuance whereof they received the gratuity on February 20, 2018.

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 gratuity for the delayed payment.

Learned advocate for the State-respondents does not oppose the prayer of the petitioners.

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 amount of gratuity from the date of death 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. 13545 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.)