

15.09.2022  
Item No.141  
Court No.18  
SK

**W.P.A. 13774 of 2022**

**Parimal Datta  
-Vs-  
The State of West Bengal & Ors.**

Mr. Krishna Pada Santra  
.....for the petitioner.  
Mr. Anubrata Santra  
,, for the State.

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

The petitioner was an approved Clerk of a  
secondary school and retired from his said service on  
superannuation on April 30, 2017.

The first pension payment order of the  
petitioner was issued on July 12, 2017.

Under the ROPA Rules, 2019, there was  
revision of the pension, gratuity and computation of  
pension of the pensioners vide Memorandum of the  
Government of West Bengal bearing No.  
53/ES/P/P&B/10M-99/2019 dated February 14,  
2020 and the revised pension payment order of the  
petitioner under ROPA, 2019 was issued on June 17,  
2021, in terms of the said revised pension payment  
order, the petitioner received the arrear pension and  
gratuity on June 24, 2021.

The petitioner in the instant writ petition is  
claiming that he is entitled to interest for the delayed  
payment of the said gratuity and arrear pension and  
is praying issuance of writ of mandamus  
commanding the Director of Pension, Provident Fund

and Group Insurance and the concerned Treasury Officer, the respondents herein, to pay such interest.

Learned advocate for the State-respondents does not raise any objection in allowing the prayer of the petitioner.

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

The aforementioned respondents are, therefore directed to pay interest on the revised gratuity and arrear pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. February 14, 2020 till the date of payment of revised gratuity and arrear pension in terms of the said revised Pension payment order.

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

W.P.A. 13774 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.)**