

14.09.2022
Item No.87
Court No.18
SK

W.P.A. 14020 of 2022

Anuva Mahapatra
-Vs-
The State of West Bengal & Ors.

Mr. Banshi Badan Maity
.....for the petitioner.
Mr. Tapas Kr. Mandal
... for the State.

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

The husband of the petitioner was an approved
Assistant Teacher of a secondary school who died-in-
harness on May 06, 2017.

The first Pension Payment Order of the
employee concerned was issued on April 24, 2019.

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
employee concerned under ROPA, 2019 was issued
on February 01, 2021 and in terms thereof the arrear
amount of pension and gratuity was disbursed on
February 02, 2021.

The petitioner in the instant writ petition is
claiming that she 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. 14020 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.)