

22.09.2022
(D/L-29)
Ct.-18
(Susanta)

W.P.A. 14494 of 2022

Chandra Sekhar Gayen
-Vs-
The State of West Bengal & Ors.

Ms. Sabita Khutia (Bhuinya),
Mr. Krishna Pada Santra,
.... For the Petitioner.

Mr. Biswanath Samanta,
.... For the State.

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

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

The first pension payment order of the petitioner was
issued on June 02, 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 July 16,
2021, in terms of the said revised pension payment order,
the petitioner received the arrear pension and gratuity on
July 16, 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 oppose 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 14494 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.)