

31.10.2022
Item No.83
Court No.18
SK

W.P.A. 14657 of 2022

Jalaluddin Sekh
-Vs-
The State of West Bengal & Ors.

Mr. Dilip Kumar Maiti
.....for the petitioner.

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

In spite of service none appears on behalf of the State-respondents.

The wife of the petitioner was an approved Assistant Teacher of a secondary school and died-in-harness on December 25, 2019.

The Pension Payment Order of the employee concerned was issued on April 08, 2022 in pursuance whereof the petitioner received the gratuity and the arrear Pension on May 13, 2022.

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 arrear pension and gratuity for the delayed payment.

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 arrear amount of pension and gratuity from the date of death of the wife of the petitioner 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. 14657 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.)