

04.11.2022  
Item No.86  
Court No.18  
SK

**W.P.A. 14801 of 2022**

**Nilendu Bag**  
**-Vs-**  
**The State of West Bengal & Ors.**

Mr. Banshi Badan Maity  
.....for the petitioner.  
Mr. P. K. Bhattacharyya  
... for the State.

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

The wife of the petitioner was an approved  
Assistant Teacher of a secondary school and died-in-  
harness on November 29, 2017.

The first pension payment order of the employee  
concerned was issued on July 18, 2018.

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 July 07, 2021 and in terms whereof, the  
petitioner received the arrear family pension and  
gratuity on July 15, 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 family 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 revised arrear family 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 revised arrear family 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. 14801 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.)**