

31.10.2022
Item No.213
Court No.18
AJ.

W.P.A. 15087 of 2022

Kakali Murmu & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Satyaranjan Kundu,
Ms. Sudipa Biswas.
.....for the petitioners.

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.

The husband of the petitioner no.1 was an approved Assistant Teacher of a Secondary school and he died-in-harness on April 26, 2020.

The Pension Payment Order of the concerned teacher was issued on April 22, 2022 in pursuance whereof the petitioner received the gratuity and arrear pension on May 18, 2022.

In the instant writ petition the prayer of the petitioner no.1 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 petitioners are 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 concerned teacher 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. 15087 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.)