

26.09.2022
Item No.211
Court No.18
P.Jana.

W.P.A. 16289 of 2022

Basanta Kumar Mondal
-Vs-
The State of West Bengal & Ors.

Mr. Banshi Badan Maity,
.....for the petitioner.
Mr. Tapas Kumar Dey,
.... for the State

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

The petitioner was an approved Non Teaching Staff (Clerk) of a secondary school and retired from his service on superannuation on December 31, 2010.

The Pension Payment Order of the petitioner was issued on November 21, 2011 in pursuance whereof he received the gratuity on December 29, 2011.

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 gratuity for the delayed payment.

Learned advocate for the State-respondents does not oppose the prayer of petitioner.

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 gratuity from the date of retirement 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. 16289 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.)