

14.09.2022  
(D/L-172)  
Ct.-18  
(Susanta)

W.P.A. 16658 of 2022

Mohammad Ali  
-Vs-  
The State of West Bengal & Ors.

Ms. Sudipa Banerjee,  
.... For the Petitioner.

Mr. Ananda Dulal Sarkar,  
.... For the State.

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

The petitioner was the approved Headmaster of  
a secondary school and retired from his said service  
on superannuation on September 30, 2016.

The first pension payment order of the  
petitioner was issued on January 31, 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 March  
19, 2021, in terms of the said revised pension  
payment order, the petitioner received the arrear  
pension and gratuity on March 24, 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.

The learned advocate for the State respondents does not raise any objection in allowing 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 16658 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.)**