

31.10.2022
(D/L-240)
Ct.-18
(Susanta)

W.P.A. 16767 of 2022

Abdul Alim Molla
-Vs-
The State of West Bengal & Ors.

Mr. Banshi Badan Maity,
.... For the Petitioner.

Mr. Tapan Ray,
.... For the State.

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

The father of the petitioner was an approved Assistant Teacher of a Secondary school and retired from his service on superannuation on August 31, 2003 and expired on March 5, 2017.

The Pension Payment Order of the employee concerned was issued on September 21, 2015 in pursuance whereof he received the gratuity on December 04, 2015.

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 the 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 death of the petitioner's father 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. 16767 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.)