

03.11.2022
Item No.62
Court No.18
AJ.

W.P.A. 18216 of 2022

Dulali Hansda & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. K.K. Paul,
Ms. Sudipa Biswas.
.....for the petitioners.
Mr. Bhaskar Chakraborty.
.....for the State.

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

The husband of the petitioner no.1 was an approved Assistant Teacher of a Secondary school and he died-in-harness on November 23, 2019.

The Pension Payment Order of the concerned teacher was issued on March 31, 2022 in pursuance whereof the petitioners received the gratuity and arrear pension on April 18, 2022.

In the instant writ petition the prayer of the petitioners 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.

Learned Advocate for the State does not oppose the prayer of the petitioners.

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 husband of the petitioner no.1 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. 18216 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.)