

338
13.04.2022
S.B.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 19607 of 2021

**Lakshmi Rani Bag
-versus
The State of West Bengal & Ors.**

**Mr. Tamal Taru Panda.
...For the Petitioner.
Mr. Tapas Kumar Dey
.... For the State**

Affidavit-of-service filed in Court today is taken on record.

The husband of the petitioner was an Assistant Teacher. He died-in-harness on 18.03.2000. Pension Payment Order was issued on 26.08.2002 and the arrear pension amount was disbursed on 19.02.2003. The petitioner claims interest on delayed payment of the arrear pension amount.

I have heard learned counsel for the petitioner and considered the orders passed by this court in similar facts.

The petitioner, being the widow, prays for payment of interest on account of delayed payment of his retiral dues.

In the present case, it is noticed that the petitioner has approached this Court long after the Pension Payment Order was issued and payment made in accordance with the same.

The Hon'ble Supreme Court in Union of India –vs- Tarsem Singh reported in (2008) 8 SCC 648 clearly laid down that in so far as consequential relief of recovery of arrear for a past period is concerned the relief shall be restricted only to a period of three years prior to the filing of the writ petition or from the date of demand made by the petitioner.

In the instant case the petitioner did not raise any demand before the respondents praying for release of interest on account of delay in making payment. The petitioner directly approached this Court praying for interest, that too, long after the PPO was issued.

In view of the above, the Court is not inclined to exercise jurisdiction in the matter and grant any relief in favour of the petitioner.

The writ petition is dismissed.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)