

08.09.2022
(S/L-13)
Ct.-18
(P. Jana)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 20084 of 2022

Saraswati Nayak & anr.

-versus-

The State of West Bengal & ors.

Mr. Sourav Mitra,

Mr. Satyaranjan Kundu,

Ms. Sudipa Biswas,

... for the petitioners.

Ms. Bineeta Bhattacharjee,

... for the State.

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

The husband of the petitioner no. 1 was an approved assistant teacher of a secondary school and retired from his service on superannuation on September 30, 2018 and died on January 14, 2020.

The Pension Payment Order of the husband of the petitioner no. 1 was issued on May 10, 2022 in pursuance whereof the petitioners received the gratuity and the arrear Pension on May 24, 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.

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 retirement of the petitioners 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. 20084 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.)

