

02.12.2022
Item No.85
Court No.18
P.Jana.

W.P.A. 24619 of 2022

Sushil Ranjan Maity

-Vs-

The State of West Bengal & Ors.

Mr. Banshi Badan Maity,
.....for the petitioner.
Ms. Tapati Samanta,
.... for the State

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

The wife of the petitioner was an approved Non-Teaching Staff (Clerk) of a secondary school and retired from her service on superannuation on September 30, 2021 and she died on March 10, 2022.

The Pension Payment Order of the employee concerned was issued on February 28, 2022 in pursuance whereof the petitioner received the gratuity and the arrear family pension on June 30, 2022.

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 arrear family pension and gratuity for the delayed payment.

Learned advocate for the State-respondents does not oppose the prayer of 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 arrear amount of pension and gratuity from the date of retirement of the employee concerned 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. 24619 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.)