

25.11.2022
(D/L-57)
Ct.-18
(Susanta)

W.P.A. 24949 of 2022
Kalyan Bhattacharya & Ors.
-Vs-

The State of West Bengal & Ors.
Mr. Krishna Keshab Paul,
.... For the Petitioners.
Mr. Iqbal Hussain,
.... For the State.

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

The wife of the petitioner No.1 was an approved Assistant Teacher of a Secondary school and she died-in-harness on August 30, 2020.

The Pension Payment Order of the concerned Teacher was issued on January 17, 2022 in pursuance whereof the petitioners received the gratuity and arrear family pension on February 25, 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 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 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 gratuity and the arrear amount of family pension from the date of death 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. 24949 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.)