

25.11.2022
Item No.77
Court No.18
SK

W.P.A. 25413 of 2022

Bijoy Kumar Pal & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Dilip Kumar Maiti
.....for the petitioners.
Ms. Sanjukta Samanta
... for the State.

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

The wife of the petitioner no. 1 and the mother
of the petitioner no. 2 was an approved Assistant
Teacher of a secondary school and died-in-harness
on May 21, 2021.

The Pension Payment Order of the employee
concerned was issued on May 17, 2022 in pursuance
whereof the petitioners received the gratuity and the
arrear family Pension on July 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 gratuity and the arrear family
pension for the delayed payment.

Learned advocate for the State-respondents
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 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. 25413 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.)