

07.06.2022.
Court No.13
Item No. 31
ap

**W.P.A. No. 26064 of 2018
With
CAN 2 of 2019 (Old CAN 11195 of 2019)**

**Nirmal Kumar Mondal
Versus
The State of West Bengal & Ors.**

Ms. Sneha Dutta.

...For the petitioner.

Mrs. Jyotsna Ray Mukherjee.

...For the State.

The writ petitioner seeks interest for delayed payment of release of retiral benefits. The petitioner superannuated from service as an Assistant Teacher of Rajarampur Bibekananda Bidyamandir, District – South 24 Parganas, on 24th December, 2004. Pension Payment Order was issued on 20th June, 2005. The petitioner claims interest for delayed release of pension.

Counsel for the State aggressively opposes the prayer of the petitioner on the ground that the writ petition has been filed thirteen years after the issuance of the Pension Payment Order.

However, given the fact that the retiral benefits are an absolute right of an employee of the State, and delay in release of retiral benefits would attract interest, this Court directs the respondent nos.2, 3 and 4 to pay interest to the petitioner on the delayed payment of pension for a period of five months at the

rate of 6% per annum on the amount of pension described in the Pension Payment Order within a period of two months from the date of communication of a copy of this order.

With the aforesaid directions, the instant writ petition shall stand disposed of.

In view of the disposal of the main writ petition, the connected application being CAN 2 of 2019 shall also stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)