

23-12-2022
Item No.4
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
Appellate Side

WPA No.28217 of 2022
Chanchal Biswas
-vs-
The State of West Bengal & Ors.

Ms. Sabita Khutia (Bhunya) ...for the petitioner

Affidavit of service filed be taken on record. despite service, none represents the respondents.

The writ petitioner retired from service on superannuation as a librarian of Mukundabagh Pally Mangal Samity Rural Library, Mukundabagh, Murshidabad on August 31, 2016. After his retirement, the first pension payment order was issued by the authority concerned on December 23, 2016. Thereafter, when ROPA 2019 came into force on September 16, 2020, the revised pension payment order was issued on September 16, 2021.

The petitioner's case is that though he retired on August 31, 2016, he received payment of his pensionary benefits on March 13, 2017; and while ROPA 2019 was implemented on September 16, 2020, he received the further pensionary benefits in terms of the revised pension payment order on November 7, 2021. Hence he seeks a direction upon the concerned authority to pay interest to him for the belated payment of gratuity and arrear pension.

Having heard learned counsel appearing for the petitioner and on consideration of the documents annexed to the writ petition, I feel that the writ petition may be disposed of by passing the following direction.

Accordingly, the concerned respondent, especially the third respondent – the Treasury Officer, Lalbagh, Murshidabad – is directed to pay interest at the rate of 6% p.a. on the delayed payment of gratuity and arrear pension in terms of the first pension payment order from September 1, 2016 and in terms of the revised pension payment order with regard to ROPA 2019 from September 16, 2020 till the date of final payment, within six weeks from the date of communication of this order.

With the aforesaid direction, WPA No.28217 of 2022 stands disposed of. No order as to costs.

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

Certified copy of this order, if applied for, shall be made available to the parties.

[Rabindranath Samanta, J]

