

Circuit Bench of Calcutta High Court at Jalpaiguri

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04.05.2022
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W.P.A. 255 of 2022

Nilima Mitra Sarkar

-vs-

The State of West Bengal & Ors.

Mr. Debajit Kundu

....for the petitioner.

Mr. Subir Kumar Saha

Ms. Bedashruti Bose

....for the State.

Affidavit-of-service filed in Court is kept with the record.

Petitioner is the wife of the deceased teacher who died in harness on 19th January, 2019 and has claimed interest on gratuity which has been released in her favour belatedly. Husband of the petitioner died in harness on 19th January, 2019 and subsequently Pension Payment Order was issued in favour of the petitioner on 18th September, 2019. Pursuant to the said Pension Payment Order, disbursement was made in favour of the petitioner on 25th September, 2019. Writ petitioner claims interest on gratuity due to delay in releasing the same.

State-respondents are represented by Mr. Subir Kumar Saha, learned Additional

Government Pleader.

Accordingly, the Director of Pension Provident Fund and Group Insurance, West Bengal and the concerned Treasury Officer are directed to pay interest at the rate of **Rs.8%** per annum to the writ petitioner on gratuity from the date of following date of death of the husband of the petitioner till the date of disbursement of the gratuity amount, within a period of eight weeks from the date of communication of this order.

Since no affidavit is called for, the allegations contained in the writ petition are deemed not to have been admitted.

With the above observation, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)