

Circuit Bench of Calcutta High Court at Jalpaiguri

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04.05.2022
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W.P.A. 263 of 2022

Nazma Banu

-vs-

The State of West Bengal & Ors.

Mr. Debajit Kundu

....for the petitioner.

Mr. Bikramidtya Ghosh

Mr. Momenur Rahman

....for the State.

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

Petitioner is the wife of the deceased pensioner and she has claimed interest on gratuity since the same was released belatedly. Petitioner's husband superannuated on 31st January, 2018 and Pension Payment Order was issued on 7th February, 2020 thereby releasing retiral dues in favour of the pensioner. However, petitioner died on 28th April, 2020. Pursuant to the said Pension Payment Order, disbursement was made in favour of the pensioner on 2nd March, 2020. Petitioner being the widow of the deceased pensioner as claimed interest on gratuity.

State-respondents are represented by Mr. Bikramidtya Ghosh, learned Advocate.

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 following date of retirement of the deceased teacher 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.)