

06.07.2022
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***Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction***

W.P.A. 923 of 2022

[Sanjok Tamang -Vs- The State of West Bengal & Ors.]

Mr. Debajit Kundu

...For the Petitioner.

Mr. Subir Kr. Saha, Id. A.G.P.

... For the State

Affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.

The learned Advocate for the petitioner submits that the father of the petitioner was teacher of a school and died in harness on 21.09.2021. Pension Payment Order was issued in favour of the petitioner on 07.12.2020 and Gratuity & Arrear Pension of the petitioner was released on 28.01.2021 and mother of the petitioner died on 13.12.2015.

Although the petitioner was entitled to payment of pensionary benefit from the date of his retirement, the same was not paid. By representing this writ petition, the petitioner prays for an order on the respondents to award

interest on delayed payment of arrear pension & gratuity.

I have heard the learned Advocate for the petitioner and have also considered the orders passed by different Hon'ble Judges on the writ petitions involving similar issues.

In view thereof, the writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay the petitioner interest on gratuity amount @ 9% per annum from the next date of death of the father of the petitioner till the date of actual payment within 16 weeks from the date of service of an authenticated copy of this order failing which, additional interest @ 2% per annum shall be payable to the petitioner.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)