

05.07.2022
Court No.1
Item No.24
pk/AP

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

WPA 955 of 2022

**Banani Sarkar
Vs.
The State of West Bengal and Ors.**

Mr. Debajit Kundu

... For the Petitioner.

Mr. Hirak Barman
Ms. Bedashruti Bose

... For the State.

The affidavit-of-service filed by the learned Advocate for the petitioner in Court today be kept with the record.

The learned Advocate for the petitioner submits that the husband of the petitioner was a teacher of a School and died-in-harness on 29.06.2010. Pension Payment Order was issued in favour of the petitioner on 23.06.2011 and the gratuity and arrear pension of the petitioner was released on 23.08.2011.

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

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, this writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay interest to the petitioner on gratuity @ 9% per annum from the next date of death of the husband 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.)