

13.07.2022
Court No.1
Item No.40
pk/AP

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

WPA 1768 of 2022

**Prabodh Subba
Vs.
The State of West Bengal and Ors.**

Mrs. Sabita Khutia (Bhunya)
... For the Petitioner.

Ms. Bedashruti Bose
... For the State.

The 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 'Group D' staff of a school and died-in-harness on 13.10.2018. Pension Payment Order was issued in favour of the petitioner on 11.02.2020 and Gratuity of the petitioner was released on 06.04.2020. Mother of the petitioner died on 24.04.1987.

Although the petitioner was entitled to payment of death benefits from the date of death of his father, 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 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 @ 9% per annum from the next date of death of his 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.)