

13.07.2022
Court No.1
Item No.43
pk/AP

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

WPA 1771 of 2022

**Mritunjay Roy and Ors.
Vs.
The State of West Bengal and Ors.**

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

Mr. Hirak Barman
... For the State.

The affidavit of service filed by the learned Advocate for the petitioners in Court today be kept on record.

The learned Advocate for the petitioners submits that the father of the petitioners was a Village Organizer Group-I and died-in-harness on 13.07.2014. Pension Payment Order was issued in favour of the petitioners on 24.11.2017 and Gratuity & Arrear Family Pension of the petitioners were released on 01.04.2019. Mother of the petitioners died on 28.07.2020.

Although the petitioners were entitled to payment of pensionary benefit from the date of death of their father, the same was not paid. By representing this writ petition, the petitioners pray for an order on the respondents to award interest on delayed payment of arrear pension & gratuity.

I have heard the learned Advocate for the petitioners 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 petitioners interest on gratuity & arrear family pension @ 9% per annum from the next date of death of the father of the petitioners 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 petitioners.

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.)