

13.07.2022
Court No.1
Item No.45
pk/AP

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

WPA 1773 of 2022

**Bharati Thapa and Ors.
Vs.
The State of West Bengal and Ors.**

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

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 husband/father of the petitioners was a teacher of a school and died-in-harness on 12.03.2020. Pension Payment Order was issued in favour of the petitioners on 19.03.2021 and Gratuity & Arrear Pension of the petitioners was released on 01.10.2021.

Although the petitioners were entitled to payment of pensionary benefit from the date of death of the deceased employee, 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 pension @ 9% per annum from the next date of death of the husband/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.)