

29.09.2022
SL. No.8
Court No.19
GB

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

W.P.A. No. 2701 of 2022

**Arati Roy
Versus
The State of West Bengal & Ors.**

Mrs. Sabita Khutia (Bhunya).

...for the Petitioner.

Affidavit of service filed in Court today be taken on record.

The petitioner's husband was a Panchayat Executive Assistant of Fulbari-I Gram Panchayat, who retired from service on **31.07.2020**. The husband of the petitioner died on 22.01.2021. The pension Payment Order was issued on **17.03.2021**. The petitioner received the payment on **03.04.2021**.

The grievance of the petitioner is that interest on delayed payment of gratuity and arrear pension has not been paid.

Gratuity and arrear pension are no longer a bounty to be handed out by the State at its whim. The family of the deceased employee has a right to receive interest on delayed payment of the same.

The Director of Pension, Provident Fund & Group Insurance, Government of West Bengal as also the concerned Treasury Officer are directed to pay interest @ 8% per annum on the gratuity and pension from the date of retirement of the husband of the petitioner, upto the date of actual payment.

Such payment is to be made within three months from the date of communication of the certified copy of this order to the concerned authorities.

Needless to mention that before any disbursement is made, the disbursing authority shall satisfy himself about

the genuineness of the claim and verify the signature and identity of the claimant, who is before this Court.

With the aforesaid observation and directions, this writ application stands disposed of.

There will, however, be no order as to costs.

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

(Shampa Sarkar, J.)