

29.09.2022
SL. No.32(DL)
Court No.19
srm

**In The High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

W.P.A. No. 2769 of 2022

Chandra Kumari Darnal

Versus

The State of West Bengal & Ors.

Mrs. Sabita Khutia (Bhuniya)

...for the Petitioner.

Affidavit of service filed in Court today is taken on record. Despite service, none appears on behalf of the State-respondents.

The petitioner's sister was a Panchayat Executive Assistant of Bhalukhop Gram Panchayat, District-Kalimpong, who died on 12.10.2020 while she was in service. The pension payment order was issued on 10.05.2022. The petitioner received the family pension and death gratuity on 22.06.2022.

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

Gratuity and 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 gratuity and family pension as also interest on delayed payment of the same, upon death of the employee.

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 death gratuity and family pension amount from the date of death of the petitioner's sister till the actual date of disbursement.

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 such 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 has approached 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.)