

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

W.P.O. No.1268 of 2022
Smita Dey.
Versus
The State of West Bengal & Ors.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 28th March, 2022.

Mr. Debdutta Basu, Adv.
... for Writ Petitioner.

Mr. Niladri Bhattacharjee with
Ms. Deblina Chattaraj, Adv.
... for WBTC.

Supplementary affidavit, filed in court today, is taken on record.

The husband of the petitioner was a retired employee of Calcutta Tramways Company (1978) Ltd. (in short, "CTC") now known as West Bengal Transport corporation (in short, "WBTC") who died on 4th June, 2021. The petitioner claims interest on delayed payment of benefits under the Revision of Pay and Allowance Rules, 1998 (in short, "ROPA 1998") which was payable to the petitioner's husband and is now payable to her.

The issue sought to be raised in the instant writ petition is squarely covered by a recent judgment and order of this Court dated 14th September, 2021 passed in WPA 7490 of 2021 (Vivekananda Halder & Ors. vs. the State of West Bengal & Ors.). There is also not much delay in approaching the Court.

As such, this writ petition is disposed of with the similar directions as rendered in the above-mentioned writ petition, which are as follows :-

The respondents shall pay interest from the date of accrual of the amounts claimed in respect of the petitioner till 2008 or till the date of actual payment of such arrears, whichever is earlier, less interest, if any, already paid, at the rate of 7% per annum to the petitioner within a period of six months from the date of communication of a server copy of this order without insisting upon production of a certified copy.

In default of payment of the aforesaid interest within a period of six months, the rate of interest shall increase to 8 %.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(ARINDAM MUKHERJEE, J.)