

ORDER SHEET

WPO 2009 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

CHAITALI BANIK
VS.
INDIAN BANK (FORMERLY ALLAHABAD BANK) & ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 22nd June, 2022

Mr. Subir Sanyal, Ms. Sumouli Sarkar, Advocates for the petitioner.
Mr. Om Narain Rai, Mr. Shambhu Mahato, Advocates for Indian Bank.
Mr. Tapan Bhanja, Advocate for respondent nos. 6 to 11.

The Court : The Pension Payment Order (in short PPO) has been made over to the petitioner in terms of the previous direction given by this Court. Except interest for delay in paying the amount on account of family pension to the petitioner nothing further remains to be adjudicated. The petitioner has been granted family pension with effect from 1st February, 2019. The entire amount has therefore remained unpaid for more than three years. The petitioner, therefore, has claimed interest for the delay in disbursing the amount for loss of the original PPO. The petitioner has been deprived of the benefit of the money without any fault on her part. The bank at the same time had derived benefit of the money which remained with it for more than three years and thereby has become liable to compensate the petitioner by paying interest.

In the aforesaid facts and circumstances, the respondent bank is directed to pay interest to the petitioner at the rate of 4% per annum on the entire sum within a period of one month from the date of communication of a server copy of this order.

The writ petition is accordingly disposed of.

Since I have not called for any affidavit, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

All parties are to act on server copy of this order without insisting upon production of the certified copy thereof.

(ARINDAM MUKHERJEE, J.)