

Ct. 06.01
No. 14 2023
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W.P.A. 111 of 2023
Dilip Kumar Laha
-Versus-
State of West Bengal & Ors.

Mr. Sakti Pada Jana
Ms. Arpita Saha **...For the Petitioner**

Ms. Sudipa Ray
Ms. Rupsha Chakraborty **...For the State Respondents**

Affidavit-of-Service filed on behalf of the petitioner
be taken on record.

The writ petitioner retired from service on
superannuation as a librarian of Bohar Bani, Bohar, Memari,
District – Purba Bardhaman, on 31st March, 2019. After his
retirement, the pension payment order was issued by the
authority concerned on October 17, 2019. The petitioner
received gratuity amount and pensionary benefits on
December 07, 2019.

The petitioner's case is that though he retired from
service on 31st March, 2019, he received the gratuity amount
and the amount of pensionary benefits on October 17, 2019.
Hence he seeks a direction upon the concerned authority to
pay interest to him for the belated payment of gratuity and
pensionary benefits.

Learned Counsel appearing for the petitioner submits
that getting the pensionary benefits is the legal right of the
petitioner and pensionary amount is his property. He further
submits that as per the Nationalised Savings Scheme for
senior citizens, any deposit is made by a senior citizen now
carries interest at the rate of 8% p.a. He further submits that
had the petitioner received his pensionary benefits in time,
the amount, which he would have received, would carry

interest at the rate of 8% p.a. As such learned Counsel for the petitioner prays for interest at the rate of 8% p.a.

Having heard learned counsel appearing for the parties and on consideration of the documents annexed to the writ petition, I feel that the writ petition may be disposed of by passing the following direction.

Accordingly, the concerned respondent, especially the third respondent – the Treasury Officer, Burdwan – I, P.O. and P.S. Burdwan, Purba Bardhaman – is directed to pay interest at the rate of 8% p.a. on the delayed payment of gratuity and pensionary benefits from 1st April, 2019 till the date of final payment, within six weeks from the date of communication of this order.

With the aforesaid direction, WPA No. 111 of 2023 stands disposed of. No order as to costs.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Urgent photostat copy of the order, if applied for, be supplied to the appellant on priority basis on compliance of necessary formalities, on priority basis.

(Rabindranath Samanta, J.)