

10.02.2023
(D/L-44)
Ct.-18
(Susanta)

W.P.A. 837 of 2023

Sova Rani Bala & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Krishna Pada Santra,
.... For the Petitioners.

Affidavit-of-service filed by the learned advocate for the petitioner be kept with the record.

In spite of service, none appears on behalf of the State-respondents.

The husband of the petitioner no. 1 and the father of the petitioner no.2 was an approved clerk of a Secondary school and he died-in-harness on August 12, 2011.

The Pension Payment Order of the employee concerned was issued on July 08, 2013 in pursuance whereof the petitioners received the gratuity and arrear family pension on August 30, 2013.

In the instant writ petition the prayer of the petitioners is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of arrear family pension and gratuity for the delayed payment.

It is now well settled that the petitioners are entitled to the interest, as prayed for.

The respondents, the concerned Treasury Officer in particular are, therefore, directed to pay interest @ 8% per annum on the arrear amount of family pension and gratuity from the date of death of the employee concerned till the date of such payment.

The payment as aforesaid shall be made within the period of eight weeks from the date of communication of this order, in default, the said arrear amount shall fetch an additional interest of 2% per annum.

W.P.A. 837 of 2023 stands disposed of with the above directions. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)