

Ct. 17.01
No. 14 2023
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W.P.A. 848 of 2023
Usha Rani Indra
-Versus-
State of West Bengal & Ors.

Ms. Sabita Khutia (Bhunya)
Ms. Arpita Saha ...For the Petitioner

Ms. Sima Adhikari
Ms. Kakali Naskar ...For the State Respondents

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

The petitioner's husband Subhash Kumar Indra was a Librarian of The Fulia Krityeebas Library, P.O. Fulia, District – Nadia, who died in harness on July 17, 2012. The pension payment order was issued to the petitioner on 10th October, 2012 and she received the gratuity and pensionary benefits on 14th January, 2013.

The petitioner's case is that though her husband died in harness on July 17, 2012, she received the gratuity amount and the amount of pensionary benefits on January 14, 2013. Hence she seeks a direction upon the concerned authority to pay interest to her 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, Nadia (Krishnagar-I), P.O. and P.S. Krishnagar, District – Nadia is directed to pay interest at the rate of 8% p.a. on the delayed payment of gratuity and pensionary benefits from 18th July, 2012 till the date of final payment, within six weeks from the date of communication of this order.

With the aforesaid direction, WPA No. 848 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.*)