

25.01.2023
Item No.131
Court No.18
P.Jana.

W.P.A. 1376 of 2023

Suprava Das & anr.

-Vs-

The State of West Bengal & Ors.

Ms. Arpita Saha,
.....for the petitioners.

Ms. Kakali Naskar, ... for the State.

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

The husband of the petitioner no. 1 was an approved Assistant Teacher of a secondary school who died in harness on December 31, 2020.

The Pension Payment Order was issued on December 03, 2021 in pursuance whereof the petitioners received the gratuity and the arrear family Pension on December 07, 2021.

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.

Learned advocate for the State-respondents does not oppose the prayer of the petitioners.

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. 1376 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.)