

06.07.2023
(D/L-232)
Ct.-18
(Susanta)

W.P.A. 2523 of 2023
Jayati Banerjee
-Vs-
The State of West Bengal & Ors.
Mr. Banshi Badan Maity,
.... For the Petitioner.

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 was an approved Assistant Teacher of a Secondary school and retired from his service on superannuation on February 29, 2020 and died on October 06, 2021.

The Pension Payment Order of the employee concerned was issued on September 12, 2022 in pursuance whereof the petitioners received the gratuity and arrear pension on September 27, 2022.

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 gratuity for the delayed payment.

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

The respondents, the concerned Treasury Officer in particular are, therefore, directed to pay interest @ 8% per annum gratuity and arrear pension from the date of retirement 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 2523 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.)