

Ct. 22.02
No. 14 2023
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W.P.A. 3730 of 2023
Arati Patra
-Versus-
The State of West Bengal & Ors.

Ms. Sudipa Biawas

...For the Petitioner

Affidavit-of-service filed on behalf of the petitioner be kept on record.

Narayan Chandra Patra, since deceased was a Library Peon of Ganbharati Near Sangha Pathagar, Vill. & P.O. Pakurseni, P.S. Narayangarh, District – Paschim Medinipur. He was the husband of the petitioner. But, he, all on a sudden died in harness on 12th April, 2020.

The petitioner informed the death of Narayan Chandra Patra to the authorities concerned. About one year and seven months after his death the respondent authorities issued Pension Payment Order in favour of the petitioner on 29th November, 2021. The petitioner received gratuity amount and pensionary benefits on 17th December, 2021.

The petitioner's case is that though her husband died in harness on 12th April, 2020, she received the gratuity amount and the amount of pensionary benefits of her husband on 17th December, 2021. 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 her property. She 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. She further

submits that had the petitioner received his pensionary benefits in time, the amount, which she 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, Kharagpur, P.O. Kharagpur, Paschim Medinipur – is directed to pay interest at the rate of 8% p.a. on the delayed payment of gratuity and pensionary benefits from 13th April, 2020 till the date of final payment, within six weeks from the date of communication of this order.

With the aforesaid direction, WPA No. 3730 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.*)