

Ct. 13.03
No. 14 2023
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W.P.A. 3757 of 2023
Suprava Sar (Ghosh) @ Suprava Ghosh
-Versus-
The State of West Bengal & Ors.

Ms. Arpita Saha

...For the Petitioner

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

Despite service of notice upon the State respondents, there is no representation on their behalf. Accordingly, the writ petition is taken up for hearing in absence of the State respondents.

The writ petitioner's husband, Haranath Ghosh, since deceased, was a Librarian of Satyendra Smriti Pathagar, Pionpara, Sripally, District – Purba Bardhaman. He retired from service on August 31, 2017. After his retirement, the first pension payment order was issued by the authority concerned on 30th November, 2017. In terms of the Pension Payment Order, the amount of gratuity and pensionary benefits was disbursed to the husband of the petitioner on 7th December, 2017. But unfortunately, the husband of the petitioner died on 31st July, 2019. After lapse of long time, when ROPA 2019 came into force on September 16, 2020, the revised pension payment order was issued in the name of the petitioner's husband on 8th September, 2021. However, the gratuity amount and arrear pensionary benefits were paid to the petitioner on 25th September. 2021.

The petitioner's case is that though ROPA 2019 was implemented on September 16, 2020, she received the gratuity amount and revised arrear pension amount in terms of the revised pension payment order on 25th September,

2021. Hence she seeks a direction upon the concerned authority to pay interest to her for the belated payment of revised gratuity and arrear pension.

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 her 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, Burdwan-I, P.O. & P.S. Burdwan, District – Purba Bardhaman – is directed to pay interest at the rate of 8% p.a. on the delayed payment of revised gratuity and arrear pension from September 16, 2020 till the date of final payment, within six weeks from the date of communication of this order.

With the aforesaid direction, WPA No. 3757 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.*)