

Ct. 13.03
No. 14 2023
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W.P.A. 4385 of 2023
Bibhas Ranjan Hazra
-Versus-
The State of West Bengal & Ors.

Mr. Krishna Pada Santra ...For the Petitioner

Mr. Pradyot Kumar Das ...For the State Respondents

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

The writ petitioner retired from service on superannuation as a Librarian Uchalan Pathagar, P.O. Uchalan, District – Purba Bardhaman on January 31, 2007. After his retirement, the first pension payment order was issued by the authority concerned on 19.03.2007. Under the ROPA Rules, 2009 there was revision of the pensionary amount payable to the petitioner. The revised pension payment order was issued on August 19, 2010 and revised gratuity and revised arrear pension amount was disbursed on 01.02.2011 in terms of ROPA, 2009. The petitioner claims interest on delayed payment of revised gratuity amount and revised arrear pension.

The petitioner's case is that while ROPA 2009 was implemented, he received the revised gratuity amount and pensionary benefits in terms of the revised pension payment order on 1st February, 2011. Hence he seeks a direction upon the concerned authority to pay interest to him 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 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, Burdwan-I, P.O. & P.S. Burdwan, District – Purba Bardhaman – is directed to pay interest at the rate of 8% p.a. on the revised arrear pension and revised gratuity amount calculated on and from 01.6.2009 till the date of actual payment. Such payment is to be made within a period of eight weeks from the date of communication of this order.

With the aforesaid direction, WPA No. 4385 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.*)