

06.10.2023
(S/L-1)
Ct.-18
(P.Jana)

W.P.A. 4466 of 2023
With
IA No : CAN 1 of 2023

Lakshmi Kanta Pandit
-Vs-
The State of West Bengal & Ors.

Mr. Fazlul Haque,
Mr. Sanatan Mondal,
.... For the Petitioner.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee, For the State.

Re : IA No : CAN 1 of 2023.

This is an application for amendment of the writ petition.

It appears from the averment of the application that in paragraph nos. 4 and 6 of the writ petition, the date of retirement of the petitioner has been erroneously mentioned as 'July 2011' instead of "**December 31, 2012**". The amendment is formal in nature, as such allowed.

The application being IA No : CAN 1 of 2023 is thus disposed of without any order as to costs.

Re : W.P.A. 4466 of 2023.

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

The petitioner was an approved Class-IV Staff of a secondary school and retired from his said service on superannuation on December 31, 2012.

The Pension Payment Order of the petitioner was issued on December 12, 2022 in pursuance whereof he received the gratuity and arrear pension on December 21, 2022.

In the instant writ petition the prayer of the petitioner is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of gratuity and arrear pension for the delayed payment.

Learned advocate for the State-Respondents does not oppose the prayer of the petitioner.

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 on the gratuity and arrear pension from the date of retirement of the petitioner 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 4466 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.)