

06.07.2023  
(D/L-236)  
Ct.-18  
(Susanta)

W.P.A. 6992 of 2023  
Rita Bhattacharya  
-Vs-  
The State of West Bengal & Ors.  
Mr. Dilip Kumar Maiti,  
.... 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 January 31, 2017 and he died on October 26, 2018.

The Pension Payment Order of the employee concerned was issued on January 27, 2023 in pursuance whereof the petitioner received the gratuity on February 15, 2023.

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 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 from the date of death 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 6992 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.)**