

04.08.2023
(D/L-150)
Ct.-18
(Susanta)

W.P.A. 7251 of 2023

Debajit Maity, since minor, represented by his
legal guardian cum maternal Grand-mother
namely Krishna De

-Vs-

The State of West Bengal & Ors.

Mr. Sudipta Maiti,
Ms. Pritikana Gantait,

.... For the Petitioners.

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 mother of the petitioner was an
approved Assistant Teacher of a Secondary
school and died-in-harness on May 01, 2010.

The Pension Payment Order of the employee
concerned was issued on February 09, 2023 in
pursuance whereof the petitioners received the
gratuity on March 10, 2023.

In the instant writ petition the prayer of the
petitioners 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 7251 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.)