

05.04.2023
Item No.132
Court No.18
SK

W.P.A. 7259 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.

Ms. Pritikana Gantait

.....for the petitioner.

Mr. Rabindra Nath Pal

... for the State.

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

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 petitioner received the arrear
family Pension on February 23, 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 arrear family 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 arrear amount of family pension 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. 7259 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.)