

05.07.2023
Item No.163
Court No.18
AJ.

W.P.A. 8552 of 2023

Kalipada Chattopadhyay
-Vs-
The State of West Bengal & Ors.

Mr. Sudip Sarkar.
.....for the petitioner.

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

None appears on behalf of the State respondents in spite of service.

The wife of the petitioner was an approved Assistant Teacher of a secondary school and retired from her service on superannuation on January 31, 2013 and died on September 05, 2015.

The Pension Payment Order of the concerned employee was issued on November 19, 2013 in pursuance whereof she received the gratuity and the arrear Pension on January 08, 2014.

The petitioner is praying that a writ of mandamus be issued commanding the respondents to pay interest on the said amount of arrear pension and 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 on the arrear amount of pension and gratuity from the date of retirement of the concerned employee 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. 8552 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.)