

13.12.2023
Court No. 13
Item No. 318
KAUSHIK

W.P.A 9644 of 2021

Gitarani Sarkar
-versus
State of West Bengal & Ors.

Mr. Uttam Kumar Roy
...For the Petitioner.

The affidavit-of-service filed by the learned Advocate for the petitioner in Court today be kept with the record.

The learned Advocate for the petitioner submits that the petitioner's husband was a teacher of a school and died-in-harness on **25.01.1991**. Pension Payment Order was issued in favour of the petitioner on **26.05.1993** and arrear pension of the petitioner was released on **27.12.1995**.

Although the petitioner was entitled to payment of pensionary benefit from the date of died-in-harness (**25.01.1991**), the same was not paid. By presenting this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of arrear pension & gratuity.

I have heard the learned Advocate for the petitioner and have also considered the orders passed by different Hon'ble Judges on the writ petitions involving similar issues.

In view thereof, this writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay interest to the petitioner on arrear pension @ 9% per annum from the next date of died-in-harness of the petitioner's husband till the date of actual payment within 16 weeks from the date of service of an authenticated copy of this order failing which, additional interest @ 2% per annum shall be payable to the petitioner.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)