

12.04.2023
Item No.199
Court No.18
SK

W.P.A. 8597 of 2023

Nanda Dulal Deb
-Vs-
The State of West Bengal & Ors.

Mr. Arun Khutia
.....for the petitioner.
Mr. Sailendru Sekhar Bayerd
... for the State.

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

Leave is granted to the learned counsel for the
petitioner to correct the name of the petitioner in the
cause title of the petition.

The petitioner was an approved Assistant
Teacher of a secondary school and retired from his
said service on superannuation on March 31, 2020.

The Pension Payment Order of the petitioner
was issued on July 07, 2021 in pursuance whereof
he received the gratuity on August 19, 2021.

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.

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 gratuity from the date of retirement of the petitioner 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. 8597 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.)