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10.10.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 8848 of 2023

**Sukur Sardar
-versus
The State of West Bengal & Ors**

**Mr. Lalratan Mondal.
...For the petitioner.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner's husband was an employee of the Murshidabad Municipality.

She prays for disbursing the terminal benefits due and payable in favour of her husband in terms of the Pension Payment Order issued on 15th January, 2013.

An ad-hoc amount has been paid but the rest is due and payable.

As it appears that the Pension Payment Order was issued in favour of the husband of the petitioner, accordingly, the respondents are duty bound to release the amount as mentioned in the Pension Payment Order.

It is highly improper and illegal not to disburse the amount mentioned in the Pension Payment Order, even after ten years of issuance of the same.

In view of the above, the Murshidabad Municipality is directed to take steps for honouring the Pension Payment Order at the earliest but positively within a period of four months from the date of communication of this order.

The petitioner will be entitled to receive arrear pension that is due and payable.

As the amount will be disbursed in favour of the petitioner after a long delay, the petitioner shall be entitled to interest on the amount due.

The Municipality shall be bound to pay interest to the petitioner at the rate of 6% per annum on the due amount calculated from the date it fell due till the date of actual payment.

In the event, the money is not disbursed as specified hereinabove, the petitioner will be entitled additional interest of 2% that is $(6\%+2\%)= 8\%$ on and from the due date till the date of its actual payment.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)