

04.08.2023
Item No.102
Court No.18
P.Jana.

W.P.A. 9898 of 2023

Aparna Paramanik & anr.

-Vs-

The State of West Bengal & Ors.

Mr. Banshi Badan Maity

.....for the petitioners.

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

In spite of service, none appears on behalf of the State-respondents.

The husband of the petitioner no. 1 was an approved Assistant Teacher of a secondary school who died-in-harness on April 25, 2021.

The Pension Payment Order of the employee concerned was issued on January 31, 2023 in pursuance whereof the petitioners received the gratuity and the arrear family Pension on March 14, 2023.

In the instant writ petition the prayer of the petitioners is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of arrear family pension and gratuity for the delayed payment.

It is now well settled that the petitioners are 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 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. 9898 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.)