

06.07.2023
(D/L-255)
Ct.-18
(Susanta)

W.P.A. 11502 of 2023

Tushar Kanti Biswas

-Vs-

The State of West Bengal & Ors.
Mr. Banshi Badan Maity,
.... For the Petitioner.

Mr. Milan Kumar Maity,
.... For the State.

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

The wife of the petitioner was an approved Assistant Teacher of a Secondary school and she died-in-harness on April 14, 2017.

The Pension Payment Order of the employee concerned was issued on April 12, 2019 in pursuance whereof the petitioner received the gratuity and arrear pension on May 11, 2019.

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 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 gratuity and arrear pension 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. 11502 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.)