

05.07.2023
Item No.216
Court No.18
SK

W.P.A. 12023 of 2023

Biswajit Pal
-Vs-
The State of West Bengal & Ors.

Mrs. Debjani Sahu
.....for the petitioner.

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 wife of the petitioner was an approved
Assistant Teacher of a secondary school and died-in-
harness on November 08, 2021.

The Pension Payment Order of the employee
concerned was issued on November 15, 2022 in
pursuance whereof the petitioner received the
gratuity and the arrear family Pension on November
28, 2022.

The petitioner is praying that a writ of
mandamus be issued commanding the respondents
to pay interest on the said amount of gratuity and
the arrear family pension for the delayed payment.

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 and the
arrear amount of family 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. 12023 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.)