

Ct. 09.06
No. 14 2023
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W.P.A. 13044 of 2023
Swapan Kumar Roy Kanjilal
-Versus-
The State of West Bengal & Ors.

Mr. Sakti Pada Jana	
Mr. Subhajyoti Das	...For the Petitioner
Mr. Rabindra Nath Pal	...For the State Respondents
Ms. Tapati Samanta	...For the Respondent No. 3

Affidavit-of-service filed on behalf of the petitioner be kept on record.

Leave is given to the learned Advocate-on-Record for the petitioner to correct the cause title portion in respect of respondent No. 3, the District Library Officer, instead of the District Inspector of Librarian and respondent No. 4, the Treasury Officer, instead of the Treasury Office.

Let such amendment be carried out by the learned Advocate-on-Record for the petitioner here and now.

The writ petitioner retired from service on superannuation as a Librarian of Bankim Pathagar, District - Howrah on 31st January, 2013. After his retirement, the pension payment order was issued by the authority concerned on 18th July, 2014. The petitioner received gratuity amount and pensionary benefits on 27th September, 2014.

The petitioner's case is that though he retired from service on 31st January, 2013, he received the gratuity amount and the amount of pensionary benefits on 27th September, 2014. Hence he seeks a direction upon the concerned authority to pay interest to him for the belated payment of gratuity and pensionary benefits.

Learned Counsel appearing for the petitioner submits that getting the pensionary benefits is the legal right of the petitioner and pensionary amount is his property. He further submits that as per the Nationalised Savings Scheme for senior citizens, any deposit is made by a senior citizen now carries interest at the rate of 8% p.a. He further submits that had the petitioner received his pensionary benefits in time, the amount, which he would have received, would carry interest at the rate of 8% p.a. As such learned Counsel for the petitioner prays for interest at the rate of 8% p.a.

Having heard learned counsel appearing for the parties and on consideration of the documents annexed to the writ petition, I feel that the writ petition may be disposed of by passing the following direction.

Accordingly, the concerned respondent, especially the forth respondent – the Treasury Officer, Uluberia District – Howrah – is directed to pay interest at the rate of 8% p.a. on the delayed payment of gratuity and pensionary benefits from 1st February, 2013 till the date of final payment, within six weeks from the date of communication of this order.

With the aforesaid direction, WPA No. 13044 of 2023 stands disposed of. No order as to costs.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Urgent photostat copy of the order, if applied for, be supplied to the Petitioner on compliance of all necessary formalities, on priority basis.

(*Rabindranath Samanta, J.*)