

04.08.2023
Item No.174
Court No.18
AJ.

W.P.A. 13159 of 2023

Kabita Saha
-Vs-
The State of West Bengal & Ors.

Ms. Sudipa Biswas.
.....for the petitioner.

Mr. Rajendra Chaturvedi.
.....for the State.

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

The husband of the petitioner was an approved non-teaching staff (Group-D) of a secondary school and retired from his said service on superannuation on February 29, 2016 and expired on April 06, 2022.

The Pension Payment Order of the petitioner was issued on April 23, 2018 in pursuance whereof she received the gratuity and the arrear Pension on May 22, 2018.

The petitioner is praying that 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.

Learned Advocate for the State respondents does not oppose the prayer of the petitioner.

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 arrear amount of family pension and gratuity from the date of retirement of the husband of the petitioner 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. 13159 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.)