

11.12.2023
Court No.13
Item No. 293
AP

WPA 14391 of 2021

**Mamtaj Begum
Vs.
The State of West Bengal & Ors**

Mr. Sandip Ghosh

... .. for the Petitioner.

Leave is granted to the learned advocate on record for the petitioner to correct the list of dates.

The affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.

The learned Advocate for the petitioner submits that the petitioner's husband was an Assistant Teacher of a Primary School and he died-in-harness on 08.12.2019. Pension Payment Order was issued on 22.01.2021 and the gratuity and arrear Pension of the petitioner was released on 11.02.2021.

Although the petitioner was entitled to payment of pensionary benefit from the date of his retirement, the same was not paid. By representing this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of arrear pension and gratuity.

I have heard the learned Advocate for the petitioner and have also considered the orders passed by different Hon'ble Judges on the writ petitions involving similar issues.

In view thereof, the writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay interest to the petitioner on gratuity and arrear pension @ 9% per annum from the next date of

death of the employee till the date of actual payment within 16 weeks from the date of service of an authenticated copy of this order failing which, additional interest @ 2% per annum shall be payable to the petitioner.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)