

04.08.2023
Item No.116
Court No.18
P.Jana.

W.P.A. 14017 of 2023

Supiya Tara & ors.

-Vs-

The State of West Bengal & Ors.

Mr. Banshi Badan Maity

.....for the petitioners.

Mr. Tapas Kumar Mandal,

.... for the State.

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

The husband of the petitioner no. 1 was an approved Assistant Teacher of a High Madrasah who died-in-harness on April 27, 2021.

The Pension Payment Order of the employee concerned was issued on April 22, 2022 in pursuance whereof the petitioners received the gratuity and the arrear family Pension on May 26, 2022.

In the instant writ petition the prayer of the petitioners is 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 petitioners.

It is now well settled that the petitioners 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 on the arrear amount of pension and gratuity 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. 14017 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.)