

Ct. 21.06
No. 14 2023
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W.P.A. 14304 of 2023
Subhankar Das
-Versus-
The State of West Bengal & Ors.

Ms. Arpita Saha

...For the Petitioner

Affidavit-of-service filed on behalf of the petitioner be kept on record. Despite service, there is no representation on behalf of the respondents.

In view of the above, the writ petition is taken up for hearing in absence of the respondents.

The writ petitioner retired from service on superannuation as a Librarian of Nawabganj Sadharan Granthagar, Stand Road, P.O. Ichhapur, P.O. Barrackpur, District - North 24-Parganas on 31st December, 2021. After his retirement, the pension payment order was issued by the authority concerned on 31st May, 2022. The petitioner received gratuity amount and pensionary benefits on 7th July, 2022.

The petitioner's case is that though he retired from service on 31st December, 2021, he received the gratuity amount and the amount of pensionary benefits on 7th July, 2022. 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 third respondent – the Treasury Officer, Basirhat, P.O. & P.S. Basirhat, District – North 24-Parganas – is directed to pay interest at the rate of 8% p.a. on the delayed payment of gratuity and pensionary benefits from 1st January, 2022 till the date of final payment, within six weeks from the date of communication of this order.

With the aforesaid direction, WPA No. 14304 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 priority basis on compliance of necessary formalities, on priority basis.

(*Rabindranath Samanta, J.*)