

15.12.2023
Court No.13
Item No. 30
AP

WPA 15102 of 2021

Joydeb Pal and Ors.

Vs.

The State of West Bengal & Ors.

Mr. Biswajit Mal

... .. for the Petitioners.

The affidavit-of-service filed by the learned Advocate for the petitioners in Court today be kept with the record.

The learned Advocate for the petitioners submit that the wife of the petitioner No.1 was an Assistant Teacher of a school and died-in-harness on 29.10.2019. Pension Payment Order was issued in favour of the petitioners on 20.04.2021 and the Gratuity & Arrear Pension of the petitioners was released on 27.04.2021.

Although the petitioners were entitled to payment of pensionary benefit from the date of death, the same was not paid. By presenting this writ petition, the petitioners pray 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 petitioners and have also considered the orders passed by different Hon'ble Judges on the writ petitions involving similar issues.

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

concerned 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 petitioners.

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.)