

16.01.2023
Item No.50
Court No.18
SK

W.P.A. 16464 of 2022

Malabika Das
-Vs-
The State of West Bengal & Ors.

Mr. Arun Khutia
.....for the petitioner.
Mr. Tapas Ballav 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 was an approved
Assistant Teacher of a secondary school and died-in-
harness on January 17, 2018.

The Pension Payment Order of the employee
concerned was issued on January 05, 2019 in
pursuance whereof the petitioner received the
gratuity and the arrear family Pension on January
15, 2019.

In the instant writ petition the prayer of the
petitioner is a writ of mandamus be issued
commanding the respondents to pay interest on the
said amount of gratuity and the arrear family
pension 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 gratuity and the arrear amount of family pension 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. 16464 of 2022 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.)