

16.01.2023
Item No.51
Court No.18
SK

W.P.A. 16829 of 2022

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

Mr. Arun Khutia
.....for the petitioner.

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

In spite of service none appears on behalf of the
State-respondents.

The mother of the petitioner was an approved
Group – D Staff of a secondary school and died-in-
harness on February 23, 2017.

The Pension Payment Order of the employee
concerned was issued on August 10, 2021 in
pursuance whereof the petitioner received the
gratuity on September 08, 2021.

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 for the delayed payment.

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 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. 16829 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.)