

20.01.2023
Item No. ML 254
Dt. 02.01.2023
Court No.18
SK

W.P.A. 16933 of 2022

Manoj Kumar Bera
-Vs-
The State of West Bengal & Ors.

Mr. Sudipta Maiti
.....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 petitioner was an approved Assistant
Teacher of a secondary school and retired from his
said service on superannuation on March 31, 2018.

The Pension Payment Order of the petitioner
was issued on September 04, 2018 in pursuance
whereof he received the gratuity on November 30,
2018.

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 retirement of the petitioner 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. 16933 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.)