

14.03.2023
Item No.181, ML,
Court No.18
AJ.

W.P.A. 17317 of 2022

Radha Nath Nayek

-Vs-

The State of West Bengal & Ors.

Mrs. Sabita Khutia (Bhunya).
.....for the petitioner.

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

None appears on behalf of the State respondents in spite of service.

The petitioner was an approved Assistant Teacher of a secondary school and retired from his service on superannuation on December 31, 2019.

The Pension Payment Order of the petitioner was issued on January 16, 2022 in pursuance whereof he received the gratuity and the arrear Pension on January 19, 2022.

In the instant writ petition the prayer of the petitioner is that a writ of mandamus be issued commanding the respondents to pay interest on the said amount of arrear pension and 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 arrear amount of pension and 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. 17317 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.)