

13.10.2023  
Item No. 126  
Court No.18  
SK

**W.P.A. 17942 of 2023**

**Kanika Kundu & Ors.**  
**-Vs-**  
**The State of West Bengal & Ors.**

Ms. Arpita Saha  
.....for the petitioners.

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

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

The husband of the petitioner no. 1 was an  
approved Assistant Teacher of a secondary school,  
who died-in-harness on November 03, 2020.

The Pension Payment Order of the employee  
concerned was issued on April 22, 2022 in  
pursuance whereof the petitioners received the  
gratuity and the arrear family Pension on April 24,  
2022.

The petitioners are praying that 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.

It is now well settled that the petitioners are  
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. 17942 of 2023 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.)**