

09.08.2023
Item No.205
Court No.18
P.Jana.

W.P.A. 18245 of 2023

Sandhya Bagdi

-Vs-

The State of West Bengal & Ors.

Mrs. Debjani Sahu,
.....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 husband of the petitioner was an approved Group-D Staff of a secondary school who died-in-harness on June 13, 2013.

The Pension Payment Order of the employee concerned was issued on October 18, 2017 in pursuance whereof the petitioner received the gratuity on August 08, 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 amount of 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. 18245 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.)