

11.08.2023
Item No.244
Court No.18
SK

W.P.A. 18306 of 2023

Rita Saha
-Vs-
The State of West Bengal & Ors.

Ms. Sudipa Banerjee
.....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
Assistant Teacher of a secondary school and retired
from his service on superannuation on September
30, 2020 and expired on February 13, 2023.

The Pension Payment Order of the employee
concerned was issued on December 10, 2020 in
pursuance whereof the employee concerned received
the gratuity and the arrear Pension on August 31,
2021.

The petitioner is praying that a writ of
mandamus be issued commanding the respondents
to pay interest on the said amount of gratuity and
the arrear pension 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 and the

arrear amount of pension from the date of retirement 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. 18306 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.)