

13.10.2023
Item No.128
Court No.18
SK

W.P.A. 19051 of 2023

Mamata Sardar & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Krishna Pada Santra
.....for the petitioners.
Mr. Arabinda Das ... for the State.

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

The husband of the petitioner no. 1 was an
approved Group – D Staff of a secondary school and
died-in-harness on August 08, 2019.

The Pension Payment Order of the employee
concerned was issued on January 13, 2021 in
pursuance whereof the petitioners received the
gratuity and the arrear family Pension on February
03, 2021.

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.

Learned advocate for the State-respondents
does not oppose the prayer of the petitioners.

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. 19051 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.)