

05.07.2023
(D/L-198)
Ct.-18
(Susanta)

W.P.A. 19632 of 2022
Manjushree Mondal & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Arun Khutia,
.... 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 No.1 was an
approved Headmaster of a Secondary school and
died-in-harness on March 13, 2017.

The first Pension Payment Order of the
employee concerned was issued on November 17,
2017.

Under the ROPA Rules, 2019, there was
revision of the pension, gratuity and computation of
pension of the pensioners vide Memorandum of the
Government of West Bengal bearing No.
53/ES/P/P&B/10M-99/2019 dated February 14,
2020 and the revised pension payment order of the
employee concerned under ROPA, 2019 was issued
on December 31, 2021, in terms of the said revised
pension payment order, the petitioner received the
arrear family pension and gratuity on January 13,
2022.

The petitioners in the instant writ petition are
claiming that they are entitled to interest for the

delayed payment of the said gratuity and arrear pension and are praying issuance of writ of mandamus commanding the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer, the respondents herein, to pay such interest.

It is now well settled that the petitioner is entitled to the interest, as prayed for.

The aforementioned respondents are, therefore directed to pay interest on the revised gratuity and arrear family pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. February 14, 2020 till the date of payment of revised gratuity and arrear family pension in terms of the said revised Pension payment order.

The payment, as aforesaid, shall be made within a period of twelve weeks from the date of communication of this order, in default, the said arrears amount shall fetch an additional interest of 2% per annum.

W.P.A 19632 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.)