

Ct. 16.01
No. 14 2023
1
akb

W.P.A. 22558 of 2022

Pradip Kumar Roy
-Versus-
State of West Bengal & Ors.

Mr. Souri Ghosal
Mr. Prabhat Kumar Singh

...For the Petitioner

Mr. Debasish Chattopadhyay

...For the State Respondents

Supplementary affidavit filed by the petitioner be kept on record.

In the supplementary affidavit, the petitioner states that due to typographical mistake the name of the library where the petitioner worked has wrongly been spelt as 'Jogeswari Pathagar, District – Malda'. As such, the petitioner submits that the name of the Pathagar be corrected as 'Narhatta Club and Library, District – Malda' instead of 'Jogeswari Pathagar, District – Malda'.

On due consideration, the prayer of the petitioner is allowed. The name of the library be corrected as 'Narhatta Club and Library, District – Malda'.

Liberty is given to the learned Lawyer for the petitioner to amend the name of the library here and now.

The writ petitioner retired from service on superannuation as a librarian of Narhatta Club and Library, District – Malda, on 31st January, 2021. After his retirement, the pension payment order was issued by the authority concerned on December 31, 2021. The petitioner received gratuity amount and pensionary benefits on January 21, 2022.

The petitioner's case is that though he retired from service on 31st January, 2021, he received the gratuity

amount and the amount of pensionary benefits on January 21, 2022. Hence he seeks a direction upon the concerned authority to pay interest to him for the belated payment of gratuity and pensionary benefits.

Learned Counsel appearing for the petitioner submits that getting the pensionary benefits is the legal right of the petitioner and pensionary amount is his property. He further submits that as per the Nationalised Savings Scheme for senior citizens, any deposit is made by a senior citizen now carries interest at the rate of 8% p.a. He further submits that had the petitioner received his pensionary benefits in time, the amount, which he would have received, would carry interest at the rate of 8% p.a. As such learned Counsel for the petitioner prays for interest at the rate of 8% p.a.

Having heard learned counsel appearing for the parties and on consideration of the documents annexed to the writ petition, I feel that the writ petition may be disposed of by passing the following direction.

Accordingly, the concerned respondent, especially the third respondent – the Treasury Officer, P.O. and P.S. Malda, District - Malda – is directed to pay interest at the rate of 8% p.a. on the delayed payment of gratuity and pensionary benefits from 1st February, 2021 till the date of final payment, within six weeks from the date of communication of this order.

With the aforesaid direction, WPA No. 22558 of 2022 stands disposed of. No order as to costs.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Urgent photostat copy of the order, if applied for, be supplied to the appellant on priority basis on compliance of necessary formalities, on priority basis.

(*Rabindranath Samanta, J.*)