

Item-34. 12-10-2023

MAT 1830 of 2023
CAN 1 of 2023
CAN 2 of 2023

^{sg} Ct. 8

Mahadeb Bhattacharya
Versus
The State of West Bengal & Ors.

Mr. Krishnendu Bera, Adv.
Ms. Debolina Chakraborty, Adv.
...for the appellant

Mr. Supriyo Chattopadhyay, Adv.
Ms. Tapati Samanta, Adv.
...for the State

1. In view of the fact that the respondent no.3 was directed to consider the prayer of the petitioner for interest on arrears and in the event the reasoned order of the respondent no.3 is in favour of the writ petitioner, a further direction was given that the writ petitioner/appellant would be entitled to interest at the rate of 8% per annum on the arrear payable to the petitioner since the date of his eligibility to receive the subsistence allowance.
2. In view of the above, we do not find any reason to interfere with the impugned order passed by the learned Single Judge.
3. It is needless to mention that in the event the petitioner is no way responsible for the delay, the respondent no.3 shall be obliged to extend the said benefit as observed by the learned Single Judge.
4. In view of the aforesaid, the appeal and the connected application are, accordingly, disposed of.
5. Time to comply with the order of the learned Single Judge is

extended by 12 weeks from date.

6. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Uday Kumar, J.)

(Soumen Sen, J.)