

25.01.2023  
(D/L-75)  
Ct.-18  
(Susanta)

W.P.A. 25713 of 2022

Fatik Chandra Das  
-Vs-  
The State of West Bengal & Ors.

Mr. Krishna Keshab Paul,  
.... For the Petitioner.  
Mr. Krishna Pada Santra,  
.... For the State.

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

The petitioner was an approved Assistant  
Teacher of a secondary school and retired from his  
said service on superannuation on November 30,  
2008.

The first pension payment order of the  
petitioner was issued on December 26, 2008.

Under the ROPA Rules, 2009, there was  
revision of the pension, gratuity and computation of  
pension of the pensioners vide Memorandum of the  
Government of West Bengal bearing No. 73-  
SE(B)/IM-4/2009 dated May 19, 2009 and the  
revised pension payment order of the petitioner  
under ROPA, 2009 was issued on December 09,  
2010, in terms thereof, the petitioner received the  
arrear pension and gratuity on March 12, 2011.

The petitioner in the instant writ petition is  
claiming that he is entitled to interest for the delayed  
payment of the said gratuity and arrear pension and  
is 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.

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

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 pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. May 19, 2009 till the date of payment of revised gratuity and arrear 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. 25713 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.)**