

20.01.2023
Item No.71
Court No.18
AJ.

W.P.A. 26697 of 2022

Asima Poyali
-Vs-
The State of West Bengal & Ors.

Mr. Banshi Badan Maity.
.....for the petitioner.

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

None appears on behalf of the State respondents in spite of service.

The son of the petitioner was an approved Assistant Teacher of a Secondary school and he died-in-harness on June 18, 2008.

The Pension Payment Order of the concerned teacher was issued on August 03, 2022 in pursuance whereof the petitioner received the gratuity and arrear pension on September 22, 2022.

In the instant writ petition the prayer of the petitioner is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of arrear pension and gratuity for the delayed payment.

It is now well settled that the petitioner is 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 arrear amount of pension and gratuity from the date of death of the son of the petitioner 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. 26697 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.)