

11.01.2023
Ct. 1
D/L 10
ab

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

WPA 80 of 2023

Sujit Rai
-Vs-
The State of West Bengal & Ors.

Ms. Monalisa Maity

... for the petitioner

Mr. Bikramaditya Ghosh,
Ms. Bedashruti Bose

... for the State

The affidavit of service is taken on record.

The petitioner's wife was appointed as a Librarian
and died-in-harness on 20.10.15.

The pension payment order of the concerned
teacher was issued on 20.03.2017 in pursuance
whereof he received the gratuity and arrear pension on
13.06.2017.

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 petitioner's wife till the date of such payment,

The payment, as aforesaid, shall be made within a 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.

WPA 80 of 2023 stands disposed of with the above directions.

There will be no order as to costs.

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

(**Moushumi Bhattacharya, J.**)