

11.01.2023
Ct. 1
D/L 11
ab

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

WPA 81 of 2023

Kamalamani Chettri

-Vs-

The State of West Bengal & Ors.

Ms. Monalisa Maity

... for the petitioner

Mr. Hirak Barman,
Ms. B. Bose

... for the State

The affidavit of service is taken on record.

The husband of the petitioner was appointed as a Librarian and died-in-harness on 24.01.2004.

The pension payment order of the concerned teacher was issued on 04.05.2007 in pursuance whereof he received the gratuity and arrear pension on 01.03.2010.

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 husband 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 81 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.**)