

13.12.2023
SL.11, Ct.2
AJ.

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

W.P.A. 162 of 2021

**Smt. Parbati Deb
-Vs-
The State of West Bengal & Ors.**

Mr. Arijit Ghosh,
Mrs. Swarnali Ghosh.
.....for the Petitioner.

Mr. Hirak Barman,
Ms. Bedashruti Bose.
.....for the State.

The husband of the petitioner was the Headmaster of Madhya Kamakhyaguri Lolit Smirity Prathomik Bidyalaya, District: Alipurduar who died-in-harness on October 09, 2001.

The petitioner, after the death of her husband received family pension for one month on December 14, 2007 thereafter for unknown reason, such pension was discontinued, however during the pendency of the present writ petition she again started receiving pension on and from January 27, 2021 and thereafter on July 30, 2021, she received a sum of Rs. 14,14,468/-(Fourteen lakhs fourteen thousand four hundred and sixty eight rupees only) towards arrear family pension.

Mr. Ghosh, learned Advocate for the petitioner submits that though his client has received the gratuity amount of her deceased husband but in the absence of break-up, she is not sure whether the said lump sum amount covers the entire arrear family pension or not. He however prays interest for the delayed payment of the said arrear amount of pension.

Mr. Barman, learned Advocate for the State submits that the entire arrear family pension has been paid to the petitioner and she is now receiving the current family pension.

The District Inspector of Schools (P.E.), District-Alipurduar, the respondent no.4 herein in his report filed in this matter has failed to explain the reason for discontinuation of payment of family pension to the petitioner after December, 2007, under such circumstances the petitioner is entitled to interest on the arrear pension which is fixed @ 6% p.a. from the date when it was payable till the date of actual payment.

The respondent no. 4 shall calculate the interest component within a period of four weeks from the date of communication of this order and thereafter shall take immediate forward steps for payment of the interest amount to the petitioner.

The petitioner is at liberty to lodge a fresh claim for disbursement of the Provident Fund amount of her deceased husband, if not already paid and/or for any other admissible dues.

W.P.A. 162 of 2021 is disposed of with the above terms without any 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.)