

11.01.2023  
Item No.25  
Court No.02  
SK

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

**W.P.A. 120 of 2023**

**Nanda Kumar Gurung  
-Vs-  
The State of West Bengal & Ors.**

Mr. Debojit Kundu  
.....for the petitioner.  
Mr. Bikramaditya Ghosh,  
Mr. Momenur Rahman  
.....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 High School and retired from his said  
service on superannuation on October 31, 2019.

The first pension payment order of the  
petitioner was issued on October 24, 2019.

Under the ROPA Rules, 2019, there was  
revision of the pension, gratuity and computation of  
pension of the pensioners vide Memorandum of the  
Government of West Bengal bearing No.  
53/ES/P/P&B/10M-99/2019 dated February 14,  
2020 and the revised pension payment order of the  
petitioner under ROPA, 2019 was issued on August  
16, 2021, in terms of the said revised pension  
payment order, the petitioner received the arrear  
pension and gratuity on August 17, 2021.

The petitioner in the instant writ petition is  
claiming that he is entitled to interest for the delayed  
payment of the said arrear pension and gratuity 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 revised arrear pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. February 14, 2020 till the date of payment of revised gratuity and revised 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. 120 of 2023 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.)**