

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
Constitutional Writ Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri.**

W.P.A. 215 of 2023

**Dhatti Mohan Roy @ Dhartti Mohan Ray @ Dhatti Mohon
Ray
-Versus-
The State of West Bengal & Ors.**

**For the Petitioner : Mr. Saumyajyoti Dutta, Adv.
Mr. Anurag Sharma, Adv.**

**For the State : Mr. Subir Kumar Saha, Adv.
Mr. Momenur Rahman, Adv.**

Heard & Judgment On : 3rd February, 2023.

The petitioner was an Assistant Teacher of Barnesh High School. He retired from service on 31st January, 2017 on superannuation. Thereafter, he applied for payment of gratuity, pension and other retirement benefits. Pension Payment Order (P.P.O.) was issued by the authority on 28th April, 2017 i.e. after a lapse of about four months from his date of retirement. Subsequently, he received his arrear pension and gratuity on 13th May, 2017.

In view of implementation of ROPA, 2019, the petitioner's gratuity and pension was revised. He received the revised gratuity and pension but no interest was paid in respect of delayed payment of gratuity and pension initially and also after revised of pension under ROPA, 2019.

In the instant writ petition, the petitioner has prayed for interest on delayed payment of gratuity.

I have heard the learned Advocate for the State.

It is frankly submitted by the learned Advocate for the State that in this case, the State does not wish to use any affidavit-in-opposition and the instant writ petition may be disposed of.

Having heard the learned Advocates for the parties and on due consideration of record, the Director of Pension, Provident Fund and Group Insurance, Finance Department, Government of West Bengal and the Treasury Officer, Jalpaiguri-II are directed to issue Pension Payment Order in respect of interest @ 8.5% of delayed payment of original as well as revised gratuity within four weeks from the date of communication of this order.

The Instant writ petition is accordingly disposed of.

However, there shall be no order as to costs.

(Bibek Chaudhuri, J.)

***Mithun
Ct No.2.
Sl No.17.***