

23.02.2023
Item No.38
Court No.18
SK

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

W.P.A. 279 of 2023

**Sushanta Kumar Dutta
-Vs-
The State of West Bengal & Ors.**

Mr. Anirban Chakraborty
.....for the petitioner.
Ms. Debdooti Dutta ... 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 secondary school and retired from his
said service on superannuation on February 28,
2021.

The Pension Payment Order of the petitioner
was issued on May 31, 2021 in pursuance whereof
he received the gratuity and the arrear Pension on
July 25, 2021.

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 gratuity and the arrear pension for
the delayed payment.

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 respondents, the concerned Treasury Officer in particular are, therefore, directed to pay interest @ 8% per annum on the gratuity and the arrear amount of pension from the date of retirement of the petitioner till the date of such payment.

The payment as aforesaid shall be made within the 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.

W.P.A. 279 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.)