

23.02.2023
Item No.48
Court No.18
SK

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

W.P.A. 406 of 2023

**Alpana Mukherjee
-Vs-
The State of West Bengal & Ors.**

Ms. Arpita Saha
.....for the petitioner.
Mr. Samir Kumar Ghosh
... for the State.

Affidavit-of-service filed by the learned advocate
for the petitioner be kept with the record.

The husband of the petitioner was an approved
Assistant Teacher of a secondary school and retired
from his service on superannuation on December 31,
2011 and he died on December 15, 2022.

The Pension Payment Order of the employee
concerned was issued on July 03, 2012 in pursuance
whereof the employee concerned received the gratuity
and the arrear Pension on December 15, 2012.

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 employee concerned 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. 406 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.)