

In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

WPA 416 of 2023

Malay Kumar Sarkar
-versus-
State of West Bengal & Ors.

Mr. Bikramaditya Ghosh,Adv.
Mr. M. Rahman,Adv.
..for respondent.

Affidavit of service filed by the
petitioner be kept with record.

The petitioner has retired from service on 31st October, 2017 and the first PPO was issued on 25th October, 2017. In the meantime ROPA Rule was introduced with effect from 1st January, 2019 and subsequently on 23rd November, 2020 the revised PPO was issued and actual pension and gratuity were released in favour of the petitioner on 25.12.2020. Now the petitioner prays for interest of gratuity at the rate of 10 per cent from 31st January, 2017 till 25th December, 2020 as well as interest on arrears of pension with effect from 31st January, 2017 till 25.12.2020.

Considered the submission made by the Counsel for the petitioner, this Court finds that there is a delay of more than three years in releasing of gratuity and pension of the petitioner. The petitioner is entitled to get the interest at the rate of 10 per cent on the gratuity amount as well as interest on arrears of pension with effect from 31st January, 2017 till 25.12.2020. The respondent nos. 2 and 3 are directed to release the interest on gratuity amount as well as on arrears of pension at the rate of 10% per anum within a period of four weeks from the date of communication of this order.

WPA No. 416/2023 is thus disposed of.

(Krishna Rao, J.)