

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

Appellate Side

WPA 421 of 2023

Sabita Das Raha
-versus-
State of West Bengal & Ors.

Mr. Hirak Barman, Adv.
Ms. Bedashruti Bose, Adv.
...for State.

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

The husband of the petitioner while in
service died on 15th December, 2017 and
after the death of the husband of the
petitioner, the respondents have issued the
first PPO on 28th January, 2019 and,
subsequently, after the revision of ROPA in
2019 revised PPO was issued on 8th October,
2020 and the final payment and the gratuity
was received on 30th October, 2020. The
petitioner submits that there was a delay for
release of the pension for about three years
and, as such, the petitioner is entitled to get
interest on gratuity as well as arrears of
pension.

This Court finds that the husband of the petitioner died in the year 2017 and the actual payment of gratuity and the arrears of pension was disbursed on 13th October, 2020. Accordingly, the petitioner is entitled to get interest on gratuity as well as arrears of pension at the rate of 8% per annum. The respondent nos. 2 and 3 are directed to release the interest on gratuity as well as on the pension amount from 15th December, 2017 till 13th October, 2020 within a period of four weeks from the date of communication of this order.

WPA No. 421 of 2023 is thus disposed of.

(Krishna Rao, J.)