

22nd August, 2023
Ct. 1
D/L 9
(sg)

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

W.P.A. No.1933 of 2023

Jaikala Rai

-Vs.-

The State of West Bengal & Ors.

Mr. Anirban Chakraborty

... for the petitioner.

Mr. Subir Kr. Saha

Mr. Momenur Rahman

... for the State.

There appears to be a delay of 22 months in the matter of payment of the petitioner's pension and other retirement dues. The petitioner retired as an Assistant Teacher from a Government-aided school on 30-04-2020 and the revised Pension Payment Order was issued on 14-12-2021. Since ROPA 2019 was made effective from 14th February, 2020, there is a delay of 22 months.

Having regard to several orders passed by this Court in similar matters as also the Co-ordinate Bench in W.P. No. 4600 (W) of 2019 (*Rabindra Kumar Bhattacharjee vs. State of West Bengal & Ors.*), this Court is of the view that the petitioner is entitled to interest on delayed payment.

W.P.A. No.1933 of 2023 is accordingly allowed by directing the respondent nos. 2 and 3 to pay interest at the rate of 8% per annum to the writ petitioner on delayed period of payment of gratuity, as per the revised Pension Payment Order from 14th February, 2020 till the date of actual payment of the retirement dues to the petitioner within 6 weeks from date.

Since affidavits have not been called for, the allegations made in the writ petition are deemed not to have been admitted.

The writ petition is disposed of accordingly.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(MOUSHUMI BHATTACHARYA, J.)