

24th August, 2023
Ct. 1
D/L 30
(AK)

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

WPA 1995 of 2023

Maitu Sarkey
Versus
The State of West Bengal & Ors.

Mr. Anirban Chakraborty
... for the petitioner.

Mr. Hirak Barman
...for the State.

Affidavit of service filed in court today is kept with the record.

The learned Advocate for the petitioner submits that the petitioner's husband was an Assistant Teacher of a Primary School and the petitioner's husband was died-in-harness on 21.05.2021. Pension Payment Order was issued in favour of the petitioner on 02.01.2023 and the Gratuity and Arrear Pension of the petitioner was released on 12.03.2023.

Although the petitioner was entitled to payment of pensionary benefit from the date of her retirement, the same was not paid. By presenting this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of arrear pension & gratuity.

I have heard the learned Advocate for the petitioner and have also considered the orders passed by different Hon'ble Judges on the writ petitions involving similar issues. In view thereof, the writ petition stands disposed of with a direction

upon the respondents and particularly the concerned Treasury Officer to pay the petitioner interest on gratuity & arrear pension @ 9% per annum from the next date of retirement of the petitioner till the date of actual payment within 16 weeks from the date of service of an authenticated copy of this order failing which, additional interest @ 2% per annum shall be payable to the petitioner.

The writ petition is, accordingly, disposed of.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Moushumi Bhattacharya, J.)