

Form J(1)

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
Constitutional Writ Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

WPA 3228 of 2022

**Laksmi Karjee Konger
Vs.
The State of West Bengal & Ors.**

For the Petitioner : Mr. Deborshi Dhar, Adv.

**For the State : Mr. Subir Kumar Saha, A.G.P
Ms. Bedashruti Bose, Adv.**

Heard & Judgment On : 1st February, 2023.

Affidavit of service is taken on record.

The husband of the petitioner was an Assistant Teacher of Paschim Chengmari G.E.L.C Primary School in the district of Alipurduar. After discharging continuous service for about 33 years the husband of the petitioner retired from service with effect from 31st January, 2021. In spite of issuance of pension payment order pension and gratuity was not released in favour of the husband of the petitioner. Finally on 8th November, 2021 the husband of the petitioner received the gratuity and arrear pension amount without interest on delayed

payment. Thereafter, on 20th January, 2022 the husband of the petitioner died. The petitioner being the wife of the deceased teacher has filed the instant writ petition for disbursement of pension, gratuity and arrear pension of her husband with effect.

Learned Advocate for the respondents has not opposed the prayer of the petitioner.

In view of the above and after hearing the learned Advocates for the parties, I direct the Directorate of Pension, Provident Fund and Group Insurance, West Bengal and also the concerned treasury officer to pay interest to the petitioner at the rate of 8.5% per annum on the gratuity and arrear pension amount calculated from the date when ROPA 2019 came into force till the date of payment. Such payment is to be made within a period of eight weeks from the date of communication of this order.

This writ petition is accordingly disposed of without however, any order as to costs.

The parties are directed to act on the server copy of this order.

(Bibek Chaudhuri, J.)