

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 3230 of 2022

**Manjula Barla
Vs.
The State of West Bengal & Ors.**

For the Petitioner : Mr. Deborshi Dhar, Adv.

**For the State : Mr. Subir Kumar Saha, A.G.P
Mr. Pretom Das, Adv.**

Heard & Judgment On : 1st February, 2023.

Affidavit of service is taken on record.

The petitioner was an approved Assistant Teacher of Hasimara No.3 T.G Primary School in the district of Alipurduar. She retired from service with effect from 28th February, 2021. It is submitted by the petitioner that on 19th July, 2022 pension payment order was issued by the respondent No.2. He received arrear pension but gratuity was not disbursed to her. On 20th July, 2022 the gratuity and arrear pension amount was disbursed in favour of the petitioner. The petitioner prayed for interest for delayed payment of gratuity and arrear pension but the

respondent authorities illegally and arbitrarily have refused to pay interest on gratuity and arrear pension.

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.)