

04.10.2023
Court No.1
Item No.40
pk/AP

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

WPA 2365 of 2023

**Jogendra Khawas
Vs.
The State of West Bengal and Ors.**

Mr. Anirban Chakraborty

... For the Petitioner.

Mr. Hirak Barman
Mr. Pretom Das

... For the State.

Affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.

The learned Advocate for the petitioner submits that the petitioner was an Assistant Teacher of a High School and he retired from service on 30.09.2010. Pension Payment Order was issued in favour of the petitioner on 05.09.2011 and the gratuity and arrear amount of the petitioner was released on 08.11.2011.

Although the petitioner was entitled to payment of his gratuity and arrear pension from the date of his 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 gratuity and arrear pension.

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, this writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay to the petitioner interest on gratuity and arrear pension amount @ 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.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)