

05.01.2023
Ct. 1
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CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

WPA 3367 of 2022

Prem Kumari Pokhrel

-Vs-

The State of West Bengal & Ors.

Mr. Debajit Kundu

... for the petitioner

The affidavit of service is taken on record.

The State is not represented.

The husband of the petitioner was an assistant teacher in a high school, who retired on 31.03.2016 and died on 28.02.2018. The Pension Payment Order was first issued in favour of the petitioner on 24.05.2016 and after introduction of ROPA 2019, revised Pension Payment Order was issued on 29.12.2021. The petitioner received the retirement benefits on 25.02.2022 on the basis of ROPA 2019.

Having regard to the order passed by the Hon'ble Division Bench of this Court dated 14.08.2013 in *MAT 1118 of 2013* read with the circular dated 25.06.2002 issued by the Joint Director of Treasuries and Accounts, West Bengal, it was held that there could not be any dispute to the entitlement of interest on the amount of revised gratuity and revised arrear pension

based on ROPA 2019, to be payable from 19.05.2009. Thus, in this case as well, the same ratio would apply with regard to payment of interest after ROPA 2019 had come into effect.

In view thereof, this writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasure Officer to pay to the petitioner interest on the revised gratuity and revised arrear pension @ 8% per annum from 14.02.2020 till the date of actual payment within four weeks from the date of service of an authenticated copy of this order.

Needless to mention that before any disbursement is made, the disbursing authority shall satisfy himself about the genuineness of the claim and verify the signature and identity of the claimant, who is before this Court.

With the aforesaid observation and directions, this writ application stands disposed of.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for be given to the petitioner on priority basis.

(Moushumi Bhattacharya, J.)