

15.5.2024
(D/L-27)
Ct.-18
(SD)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 439 of 2023

Chitra Pandey
Vs
The State of West Bengal & Ors.

Mr. Banshi Badan Maity
.... For the Petitioner.

Affidavit-of-service filed by the learned advocate
for the petitioner be kept with the record.

In spite of service, none appears on behalf of the
State-respondents.

The husband of the petitioner was an approved
non-teaching staff (Clerk) of a secondary school and
retired from his said service on superannuation on
January 31, 2019 and died on May 7, 2021.

The first pension payment order of the employee
concerned was issued on May 2, 2019.

Under the ROPA Rules, 2019, there was revision
of the pension, gratuity and computation of pension of
the pensioners vide Memorandum of the Government
of West Bengal bearing No. 53/ES/P&B/10M-
99/2019 dated February 14, 2020 and the revised
pension payment order of the employee concerned
under ROPA, 2019 was issued on April 6, 2021, in
terms of the said revised pension payment order, the
husband of the petitioner received the gratuity and
arrear pension on April 28, 2021.

The petitioner in the instant writ petition is claiming that she is entitled to interest for the delayed payment of the said gratuity and arrear pension and is praying issuance of writ of mandamus commanding the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer, the respondents herein, to pay such interest.

It is now well settled that the petitioner is entitled to the interest, as prayed for.

The aforementioned respondents are, therefore directed to pay interest on the revised gratuity and arrear pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. February 14, 2020 till the date of payment of revised arrear pension in terms of the said revised Pension payment order.

The payment, as aforesaid, shall be made within a period of twelve weeks from the date of communication of this order, in default, the said arrears amount shall fetch an additional interest of 2% per annum.

W.P.A. 439 of 2023 stands disposed of with the above directions. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)