

03.04.2024
Item No. 49
Court No.18
(P. Jana)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 464 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 petitioners 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 service on superannuation on January 31, 2019 and died on May 07, 2021.

The Pension Payment Order of the employee concerned was issued on May 02, 2019 in pursuance whereof the petitioner received the gratuity and the arrear family Pension on January 04, 2020.

In the instant writ petition the prayer of the petitioner is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of arrear family pension and gratuity for the delayed payment.

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

The respondents, the concerned Treasury Officer in particular are, therefore, directed to pay interest @ 8% per annum on the arrear amount of family pension and gratuity from the date of retirement of the employee concerned till the date of such payment.

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

W.P.A. 464 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.)