

21.05.2024
Item No.199 DL
Court No.18
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 3013 of 2024

**Sonamani Mahata
-Vs-
The State of West Bengal & Ors.**

Ms. Arpita Saha.
.....for the petitioner.
Ms. Saswati Chatterjee.
.....for the State.

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

The husband of the petitioner was an approved Assistant Teacher of a secondary school who died-in-harness on April 12, 2021.

The Pension Payment Order of the concerned employee was issued on December 06, 2021 in pursuance whereof the petitioner received the gratuity and arrear family pension on January 05, 2022.

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 gratuity and arrear family pension for the delayed payment.

Learned Advocate for the State respondents does not oppose the prayer of the petitioner.

It is now well settled that the petitioner is 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 gratuity and arrear family pension amount from the date of death 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. 3013 of 2024 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.)