

15.05.2024
Item No.94
Court No.18
AJ.

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

W.P.A. 3020 of 2024

Satyendranath Biswas

-Vs-

The State of West Bengal & Ors.

Ms. Arpita Saha.

.....for the petitioner.

Ms. Nilanjana Adhya.

.....for the State.

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

The wife of the petitioner was an approved
Assistant Teacher of a secondary school and retired
from her said service on superannuation on
September 30, 2017 and expired on May 23, 2022.

The first pension payment order of the
concerned teacher was issued on October 13, 2017.

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/P&B/10M-99/2019 dated January 29,
2021 and the revised pension payment order of the
concerned teacher under ROPA, 2019 was issued on
August 05, 2021 and in terms thereof, the employee
received the arrear family pension and gratuity on
August 10, 2021.

The petitioner in the instant writ petition is
claiming that he is entitled to interest for the delayed
payment of the said gratuity and arrear family
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.

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 aforementioned respondents are, therefore directed to pay interest on the revised gratuity and revised 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 gratuity and 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. 3020 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.)