

08.04.2024
Sl. No.104
ap

W.P.A. 4041 of 2024

Sanamani Hembram & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Banshi Badan Maity.
... .. for the petitioners

Mrs. Oindrila Ghosh.
...for the State.

Affidavit-of-service filed by the learned Advocate for the petitioners in Court today be kept with the record.

The learned Advocate for the petitioners submits that husband of the petitioner no.1 was an Assistant Teacher of a Primary School, who died-in-harness on 24.12.2020. Pension Payment Order was issued in favour of the petitioner on 31.01.2023 and the gratuity of the petitioner was released on 17.02.2023.

Although the petitioner was entitled to payment of pensionary benefit from the next date of his retirement, the same was not paid. By presenting this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of gratuity.

I have heard the learned Advocate for the petitioner and have also considered the orders passed by different Hon'ble Judges on the writ petitions involving similar issues.

In view thereof, this writ petition stands disposed of with a direction upon the respondents and particularly the

concerned Treasury Officer to pay interest to the petitioner on gratuity @ 9% per annum from the next date of retirement of the petitioner till the date of actual payment within 16 weeks from the date of service of an authenticated copy of this order failing which, additional interest @ 2% per annum shall be payable to the petitioner.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)