

10.04.2024
Sl. No.245
pk

W.P.A. 4113 of 2024

Sunirmal Bhattacharya
-Vs-
The State of West Bengal & Ors.

Ms. Sudipa Banerjee
... for the petitioner

Mr. Aswini Kumar Bera
... for the State.

The affidavit-of-service filed by the learned Advocate for the petitioner in Court today be kept with the record.

The learned Advocate for the petitioner submits that the petitioner's wife was an assistant teacher of a school and died in harness on 24.06.1998. Pension Payment Order was issued in favour of the petitioner on 26.06.2006 and Arrear Pension of the petitioner was released on 12.10.2007.

Although the petitioner was entitled to payment of pensionary benefit from the date of death of the employee, 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 arrear of family pension.

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 arrear of family pension @ 9% per annum from the date of death of the wife 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.)