

10.04.2024
Sl. No.253
pk

W.P.A. 4151 of 2024

Jayanti Sardar
-Vs-
The State of West Bengal & Ors.

Ms. Arpita Saha
... for the petitioner

Mr. Santanu Panja
... 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 husband was an assistant teacher of a school and he died in harness on 30.10.2019. Pension Payment Order was issued in favour of the petitioner on 06.12.2021 and the Gratuity and Arrear Pension of the petitioner was released on 22.04.2022.

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 and 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 and arrear of family pension @ 9% per annum from the 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.)