

04.04.2024.  
Court No. 13  
Item no. 45.  
sp

**W.P.A. No. 4145 of 2024**

Saraswati Sardar  
Versus  
The State of West Bengal & Ors.

Ms. Arpita Saha

..for the petitioner.

1. Affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.
2. The learned Advocate for the petitioner submits that the husband of the petitioner was an Assistant Teacher of a high school and he died-in-harness on 07.07.2020. Pension Payment Order was issued on 07.03.2022 and gratuity and arrear family pension of the petitioner was released on 01.06.2022.
3. Although the husband of the petitioner was entitled to payment of pensionary benefit from the date of death, the same was not paid. By representing this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of arrear pension & gratuity.

4. 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.
5. In view thereof, the writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay the petitioner interest on gratuity and arrear family pension @ 9% per annum from the next date of death of the husband 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.
6. There will be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

***(Rajasekhar Mantha, J.)***