

08.04.2024
Sl. No.149
SM
Court No.13

W.P.A. 4392 of 2024

Barnali Maity
-Vs-
The State of West Bengal & Ors.

Ms. Sudipa Biswas
... for the petitioner
Ms. Keya Sutradhar
.....For the State

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

The learned Advocate for the petitioner submits that the husband of the petitioner was a Teacher of a school, who died in harness on 20.08.2020. Pension Payment Order was issued in favour of the petitioner on 18.10.2021 and the gratuity and arrear Pension of the petitioner was released on 28.10.2021.

Although the petitioner was entitled to payment of pensionary benefit from the date of death of her husband, 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 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, the 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 pension @ 9% per annum from the 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.

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.)