

16.04.2024
Sl. No.66
ap

W.P.A. 4601 of 2024

Amit Kumar Mandal
-Vs-
The State of West Bengal & Ors.

Mr. Biswajit Mal.

... .. for the petitioner

Despite service of notice, the respondents are not represented. 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 uncle was an Assistant Teacher of a Primary School and retired from service on 31.08.1992 and died on 03.03.2014. Pension Payment Order was issued in favour of the petitioner on 31.01.2002 and the gratuity of the petitioner was released on 12.03.2002.

Although the petitioner was entitled to payment of pensionary benefit from the date of her uncle's death, 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 date of death of the uncle 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.)