

18.04.2024
Court No.13
Item No.25
pk

WPA 4857 of 2024

**Lakshman Chandra Sardar
Vs.
State of West Bengal and others**

Ms. Pritikana Gantait
... for the petitioner.

Mr. Kushal Biswas
... for the State.

1. The order dated 08.04.2024 has been mistakenly passed in the instant writ petition. The said order shall be recalled as a whole.
2. The following order is passed.
3. The affidavit-of-service filed by the learned Advocate for the petitioner in Court today be kept with the record.
4. The learned Advocate for the petitioner submits that the petitioner was a head teacher of a primary school and retired from service on 31.01.2021. Pension Payment Order was issued in favour of the petitioner on 01.09.2021 and Gratuity and Arrear Pension of the petitioner was released on 07.11.2021.
5. Although the petitioner was entitled to payment of pensionary benefit from the date of his retirement, 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.

6. 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.
7. 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 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.
8. There will be no order as to costs.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)