

24.04.2024
Court No.13
Item no.116
AP

WPA 4938 of 2024

**Tapati Mandal
Versus
The State of West Bengal & Ors.**

Ms. Sudipta Maiti

..For the Petitioner.

Mr. Mirza Kamruddin

...for the State

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 a Head Teacher of a primary school and retired from service on 31.10.2000. Pension Payment Order was issued in favour of the husband of the petitioner on 15.03.2002 and Gratuity and Arrear Pension of the husband of the petitioner was released on 16.07.2004. Thereafter the husband of the petitioner died on 23.01.2016.
3. Although the petitioner was entitled to payment of pensionary benefit from the date of his retirement, 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 pension @ 9% per annum from the date of retirement 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.)

