

10.04.2024
Sl. No.177
ap

W.P.A. 5395 of 2024

Lakshmi Maiti
-Vs-
The State of West Bengal & Ors.

Mr. Subhrangsu Panda,
Ms. Ina Bhattacharyya,
Ms. Haritri Roy.

... .. for the petitioner

Ms. Biswarup Biswas.

...for the State.

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 father of the petitioner was an Assistant Teacher of a School, who retired on 30.11.1987 and died on 04.01.1992. He also submits that the mother of the petitioner died on 15.11.1997 and husband of the petitioner died on 05.02.2007.

The petitioner is the widow daughter of the employee and pension payment order issued in favour of the petitioner on 23.11.2020 and the arrear family pension of the petitioner released on 17.12.2020.

Although the petitioner was entitled to payment of pensionary benefit from Government Circular dated 10.01.2008, 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 family pension.

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 and arrear pension @ 9% per annum from 10.01.2008 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.)