

24.04.2024

Sl. No.125

Ct. No. 13

Sws.M

W.P.A. 5417 of 2024

Saraswati Jodder

-Vs-

The State of West Bengal & Ors.

Ms. Sudipa Banerjee

... for the petitioner

Affidavit of service filed in Court today be kept on record.

The learned advocate for the petitioner submits that the [petitioner's husband](#) was an [Assistant Teacher](#) of a School and [died-in-harness](#) on 31.03.2004. Pension payment order was issued in favour of the petitioner on 24.03.2006 and the gratuity and arrear of the petitioner was released on 12.07.2006.

Although the petitioner was entitled to payment of pensionary benefit from [the date of her husband's 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.

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 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.)