

01.05.2024
Court No.13
Item No.38
pb

WPA 5502 of 2024

**Nimai Chandra Patra
Vs.
The State of West Bengal & Ors.**

Ms. Sreyasree Choudhury
... .. for the Petitioner.
Mr. Debasis Sur.
.....for the State.

Affidavit of service filed in Court today is kept with the record.

The learned Advocate for the petitioner submits that the petitioner was an Assistant Teacher of a school and retired from service on 31.01.2022. Pension Payment Order was issued in favour of the petitioner on 07.12.2022 and the gratuity of the petitioner was released on 04.04.2023.

Although the petitioner was entitled to payment of pensionary benefit from Government Circular dated 13.04.2010, 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 arrear family

pension @ 9% per annum from the date of 13.04.2010 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.)