

17.05.2024.
Court No.13
Item No. 38
pk

RVW 71 of 2024
in
W.P.A. No. 1661 of 2023
Amiya Kumar Chattopadhyay
Versus
The State of West Bengal & Ors.

Mr. Argha Banerjee,
Mr. A. K. Upadhyay

...For the petitioner.

Mr. Arjun Roy Mukherjee,
Ms. Tapati Samanta

... For the State

Mr. Suman Basu,
Mr. Sushanta Malkhandy

... for the respondent no. 5

1. In the order dated 18.12.2023, this Court had indicated the entitlement of the petitioner. The observations in paragraphs 5 and 6 are generic and not germane to the facts of the case since the petitioner has not prayed for pension either in the writ petition or in the review application.
2. The grounds for review are outside the scope of order 47 of the CPC. The petitioner shall only be entitled to interest on the delayed payment of terminal benefits i. e. from 2nd July, 1990 till the date of actual disbursement.
3. This Court is inclined to award interest only despite the fact that the petitioner approached this Court nearly 33 years after making the application for VRS.
4. Let interest be paid at the rate of 5 per cent per annum on the delayed payment of terminal benefits

from 2nd July, 1990 till the actual disbursement i.e. April, 2023.

5. The review application is dismissed.

6. Instructions of the Medical Superintendent, Medical College and Hospital, Kolkata dated 06.05.2024 is kept with the record.

(Rajasekhar Mantha, J.)