

10.04.2024.
Court No. 13
Item no. 313.
sp

W.P.A. No. 5608 of 2024

Mst. Modina Bibi
Versus
The State of West Bengal & Ors.

Mr. Tamal Taru Panda

..for the petitioner.

Mr. Varun Raj Tiwari

...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 an Assistant Teacher of a high school and retired from service on 31.12.2007 and he died-in-harness on 01.07.2018. Pension Payment Order was issued in favour of the petitioner on 29.11.2019 and gratuity and arrear pension of the petitioner was released on 11.01.2020.
3. Although the husband of the petitioner was entitled to payment of pensionary benefit from the date of death of her husband, 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 family pension @ 9% per annum from the next 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.
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.)

