

08.04.2024
Sl. No.174
g.b.
Court No.13

W.P.A. 5798 of 2024

Debakinandan Koner
-Vs-
The State of West Bengal & Ors.

Mr. Arun Khutia
... for the petitioner
Sk. Mujibar Rahaman
Ms. Bineeta Bhattacharjee
.....For the State

The affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.

The learned Advocate for the petitioner submits that the petitioner was an Assistant Teacher of a school and retired from service on 28.02.2021. Pension Payment Order was issued in favour of the petitioner on 01.11.2022 and the gratuity and arrear Pension of the petitioner was released on 01.12.2022.

Although the petitioner was entitled to payment of pensionary benefit from the next date of his retirement, 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 and gratuity.

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, the 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

the next date of retirement 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.

Since no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)