

25.04.2024

Sl. No.185

Ct. No. 13

Sws.M

W.P.A. 5847 of 2024

Aratibala Guchait

-Vs-

The State of West Bengal & Ors.

Ms. Dipa Bhattacharya

... for the petitioner

Ms. Dipanwita Ghosh Chowdhury

...for the State

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

The learned advocate for the petitioner submits that the husband of the petitioner was an Assistant Teacher of a School and retired from service on 31.10.2008, and died on 07.11.2010. Pension payment order was issued in favour of the petitioner on 12.06.2009 and the gratuity and arrear pension of the petitioner was released on 15.08.2009.

Although the petitioner was entitled to payment of pensionary benefit from the date of his 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 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, 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 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.

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

(Rajasekhar Mantha, J.)