

21.05.2024
Sl. No.295
ap

W.P.A. 6471 of 2024

Mrinal Kanti Singha & Anr.
-Vs-
The State of West Bengal & Ors.

Ms. Subhra Nag.
... .. for the petitioners

Despite service of notice, the respondents are not represented. Affidavit-of-service filed by the learned Advocate for the petitioners in Court today be kept with the record.

The learned Advocate for the petitioners submits that the mother of the petitioner no.1 was an Assistant Teacher of a Primary School, who died-in-harness on 16.08.2022. Pension Payment Order was issued in favour of the petitioner on 22.09.2023 and gratuity and the arrear family pension of the petitioners was released on 07.10.2023.

Although the petitioners were entitled to payment of pensionary benefit from the date of death of the employee, the same was not paid. By presenting this writ petition, the petitioners pray for an order on the respondents to award interest on delayed payment of gratuity and arrear family pension amount.

I have heard the learned Advocate for the petitioners 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 family pension @ 9% per annum from the date of death of the mother 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 petitioners.

The concerned Treasury Officer shall verify as to whether the petitioners are present in person along with the documents of identity before making any disbursement as directed hereinabove. In the event the petitioners are not present, the matter shall be reported to the Registrar General of this Court for appropriate action.

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.)