

06.05.2024
Sl. No.131
pk

W.P.A. 6455 of 2024

Kaberi Mondal & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Krishapada Santra
... for the petitioners

Mr. Bhakti Prasad Das
... 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 employee was an Assistant Teacher of a primary school and died-in-harness on 08.05.2020. Pension Payment Order was issued on 04.10.2021 and the gratuity and arrear Pension of the petitioner was released on 11.10.2021.

Although the petitioners were entitled to payment of pensionary benefit from the date of his death, 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.

The concerned Treasury Officer shall verify as to whether the petitioner is present in person along with the documents of identity before making any disbursement as directed hereinabove. In the event the petitioner is not

present, the matter shall be reported to the Registrar General of this Court for appropriate action.

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 death of the employee 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.)