

21.05.2024  
Item No.171 DL  
Court No.18  
AJ.

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION**

**W.P.A. 7174 of 2024**

**Sambhu Nath Duley  
-Vs-  
The State of West Bengal & Ors.**

Ms. Sanchayita De.  
.....for the petitioner.

Affidavit-of-service filed by the learned advocate  
for the petitioner be kept with the record.

None appears on behalf of the State  
respondents in spite of service.

The petitioner was an approved non-teaching  
staff (Clerk) of a secondary school and retired from  
his said service on superannuation on March 31,  
2017.

The first pension payment order of the  
petitioner was issued on March 01, 2017.

Under the ROPA Rules, 2019, there was  
revision of the pension, gratuity and computation of  
pension of the pensioners vide Memorandum of the  
Government of West Bengal bearing No.  
53/ES/P/P&B/10M-99/2019 dated February 14,  
2020 and the revised pension payment order of the  
petitioner under ROPA, 2019 was issued on April 22,  
2022 in terms thereof, the petitioner received the  
arrear pension and gratuity on April 27, 2022.

The petitioner in the instant writ petition is  
claiming that he is entitled to interest for the delayed  
payment of the said gratuity and arrear pension and

is praying issuance of writ of mandamus commanding the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer, the respondents herein, to pay such interest.

It is now well settled that the petitioner is entitled to the interest, as prayed for.

The aforementioned respondents are, therefore directed to pay interest on the revised gratuity and revised arrear pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. February 14, 2020 till the date of payment of revised gratuity and revised arrear pension in terms of the said revised Pension payment order.

The payment, as aforesaid, shall be made within a period of twelve weeks from the date of communication of this order, in default, the said arrears amount shall fetch an additional interest of 2% per annum.

W.P.A. 7174 of 2024 stands disposed of with the above directions. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

**(Biswajit Basu, J.)**