

01.05.2024
Sl. No.161
ap

W.P.A. 8865 of 2024

Dasharath Hembram & Ors.
-Vs-
The State of West Bengal & Ors.

Ms. Sanchayita De.
... .. 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 wife the petitioner no.1 was a Teacher of a Primary School, who died-in-harness on 14.06.2018. Pension Payment Order was issued in favour of the petitioner on 09.01.2020 and the gratuity and arrear pension of the petitioner was released on 08.02.2020.

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

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 date of death of the wife 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.

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.

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.)