

13.05.2024
Sl. No.125
g.b.
Court No.13

W.P.A. 10394 of 2024

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

Mr. Krishna Pada Santra
... for the petitioners
Mr. Arjun Samanta
.....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 deceased employee was an assistant teacher of a school and died-in-harness on 31.08.2021. Pension Payment Order was issued in favour of the petitioner on 27.09.2023 and the gratuity and arrear Pension of the petitioners was released on 03.01.2024.

Although the petitioners were entitled to payment of pensionary benefit from the date of retirement of the employee, 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.

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 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.

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.)