

01.05.2024

Sl no. 50

Ct no. 13

P.M.

WPA 11222 OF 2024

Dwarakanath Chakraborti

- Vs -

The State of West Bengal & Ors.

Ms. Arpita Saha

... for the petitioner

1. Despite service of notice, the respondents are not represented. Affidavit-of-service filed in Court today be taken on record.

2. The petitioner seeks interest on arrears of pension from the date of refund till the date of actual payment.

3. This Court by a judgment and order dated 15th April, 2024 passed in WPA 2889 of 2024 (Swapan Kumar Chakraborty – Vs. – The State of West Bengal & Ors.) has held that the persons similarly situated as the petitioner would be entitled to interest at the rate of 8% per annum for the period from 1st November, 2019 (one month after the decision of Md. Abdul Ghani (supra) i.e. 30th September, 2019) till the date of issuance of Pension Payment Order on all arrears of pension (from the date of superannuation).

4. In those circumstances, the petitioner shall be entitled to interest as directed hereinabove on the arrears of his pension for the same reasons as indicated in the order dated 15th April, 2024 (supra).

5. The Director of Pension, Provident Fund and Group Insurance, West Bengal and the concerned Treasury Officer to pay interest to petitioner on the arrear pension amount calculated for the period from 01.11.2019 till the date of issuance of pension payment order within a period of two months from date.

6. With the aforesaid directions, the instant writ petition is allowed and disposed of.

7. 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.

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)