

02.09.2024
Item No.161
Ct. No. 7
KS

W.P.A. 8623 of 2009

Nilratan Hazra

Versus

The State of West Bengal & Ors.

Mr. Subir Hazra

Mr. Sukumar Sarkar

.....For the Petitioner

1. None appears for the State.
2. The petitioner, who was an approved Teacher-in-Charge of Nutuk Vidyananda Vidyamandir in the district of Paschim Midnapore retired from his service on superannuation on March 31, 1997. The Pension Payment Order was issued on July 7, 2000.
3. The grievance of the writ petitioner is that the gratuity was released more than five years after the date of his superannuation and, therefore, the writ petitioner has claimed interest on delayed payment of gratuity.
4. Learned advocate for the petitioner placed reliance upon an order of Co-ordinate Bench dated April 13, 2011 in W.P.A. No.1198 of 2009 in support of his claim for interest on delayed payment of gratuity. It appears from the said order that the Co-ordinate Bench directed payment of interests on delayed payment of gratuity at the rate of 8% per annum.

5. In view thereof, the writ petition is disposed of by directing the respondent nos.5 and 6 being, the Director of Pension, Provident Fund and Group Insurance and the Treasury Officer, Ghatal to pay interests on delayed payment of gratuity at the rate of 8% per annum from the date of retirement of the petitioner up to the date of actual payment of the gratuity. Such payment should be made to the petitioner as expeditiously as possible, but positively within a period of eight weeks from the date of receipt of server copy of this order.
6. There shall be no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)