

07.05.2024.
Court No. 13
Item no. 170.
sp

W.P.A. No. 11965 of 2024

Sushanta Giri
Versus
The State of West Bengal & Ors.

Mr. Biswajit Mal

..for the petitioner.

Ms. Prativa Ghatak

...for the State

1. Affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.
2. The learned Advocate for the petitioner submits that the petitioner's father was a Head Teacher of a school who retired on 28.02.1993 and died on 02.02.2018. Pension Payment Order was issued in favour of the petitioner on 04.07.2023 and the Arrear Family Pension of the petitioner was released on 25.08.2023.
3. Although the petitioner was entitled to payment of pensionary benefit from Government Circular dated 05.09.2005, 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 family pension.
4. 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.

5. 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 @ 7% per annum from the date of 16.02.2019 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.
6. 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.
7. There will be no order as to costs.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)

