

24.04.2024
Item No.68
Court No.18
A.J.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 11208 of 2023

**Md. Nazir Hossain
-Vs-
The State of West Bengal & Ors.**

Ms. Sudipa Banerjee.
.....for the petitioner.

Ms. Kumkum Das.
.....for the State.

Affidavit-of-service filed by the learned advocate for the petitioner be kept with the record.

The petitioner was an approved Assistant Teacher of a High Madrasah and retired from his service on superannuation on July 31,2019.

The Pension Payment Order of the petitioner was issued on June 23, 2021 in pursuance whereof he received the gratuity and the arrear Pension on July 02, 2021.

The petitioner is praying that a writ of mandamus be issued commanding the respondents to pay interest on the said amount of gratuity and arrear pension for the delayed payment.

Learned Counsel for the State respondents does not oppose the prayer of the petitioner.

It is now well settled that the petitioner is entitled to the interest, as prayed for.

The respondents, the concerned Treasury Officer in particular are, therefore, directed to pay interest @ 8% per annum on the gratuity and the arrear amount of pension from the date of retirement of the petitioner till the date of such payment.

The payment as aforesaid shall be made within the period of eight weeks from the date of communication of this order, in default the said arrear amount shall fetch an additional interest of 2% per annum.

W.P.A. 11208 of 2023 stands disposed of, with the above directions. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)