

17.05.2024.
Court No. 13
Item no. 162.
sp

W.P.A. No. 12211 of 2024
Madhabi Adhikary
Versus
The State of West Bengal & Ors.

Ms. Arpita Saha

..For the petitioner.

Mr. Sudip Sarkar

..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 husband of the petitioner was an assistant teacher of a school and he died-in-harness on 02.08.2009. Pension Payment Order was issued in favour of the petitioner on 26.08.2011 and the gratuity of the petitioner was released on 30.10.2011.
3. Although the petitioner was entitled to payment of pensionary benefit from the date of death, 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 gratuity.
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, the writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay the petitioner interest on gratuity @ 9% per annum from the date of death of the employee 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.
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.)

