

21.05.2024
(D/L-74)
Ct.-18
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 12296 of 2024

Rubi Banerjee & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Anirban Chakraborty,

.... For the Petitioner.

Mr. Ranajit Ray,

.... For the State.

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

The husband of the petitioner no.1 was an approved Non-Teaching Staff (Clerk) of a secondary school and died-in-harness on October 04, 2019.

The Pension Payment Order of the employee concerned was issued on March 09, 2022 in pursuance whereof the petitioner no. 1 received the gratuity and arrear family pension on March 28, 2022.

In the instant writ petition the prayer of the petitioners is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of arrear family pension and gratuity for the delayed payment.

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

It is now well settled that the petitioners are 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 arrear amount of family pension and gratuity from the date of death of the employee concerned 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 12296 of 2024 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.)