

17.05.2024.
Court No. 13
Item no. 170.
sp

W.P.A. No. 12499 of 2024
Gargi Ghosh & Anr.
Versus
The State of West Bengal & Ors.

Mr. Krishna Pada Santra

..For the petitioner.

1. Affidavit of service filed by the learned Advocate for the petitioners in Court today be kept on record.
2. The learned Advocate for the petitioners submits that the mother of the petitioners was a head teacher of a school and she died-in-harness on 23.05.2021. Pension Payment Order was issued in favour of the petitioners on 01.02.2024 and the gratuity and arrear pension was released on 10.02.2024. The father of the petitioners died on 14.01.2024.
3. Although the petitioners were entitled to payment of pensionary benefit from the date of the retirement of the employee, the same was not paid. By representing this writ petition, the petitioners pray for an order on the respondents to award interest on delayed payment of arrear pension and gratuity.

4. I have heard the learned Advocate for the petitioners 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 petitioners interest on gratuity and arrear pension @ 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 petitioners are present in person along with the documents of identity before making any disbursement as directed hereinabove. In the event the petitioners are 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.)