

20.12.2024  
(D/L-97)  
Ct.-19  
(SG)

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 13227 of 2024

Bibi Manowara  
-Vs-  
The State of West Bengal & Ors.

Ms. Arpita Saha,  
.... For the Petitioner.

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

In spite of service, none appears on behalf  
of the State-respondents.

The husband of the petitioner was an approved  
Assistant Teacher of a primary school and retired  
from his said service on superannuation on August  
31, 2017 and died on February 01, 2023.

The first pension payment order of the employee  
concerned was issued on August 07, 2017.

Under the ROPA Rules, 2019, there was  
revision of the pension, gratuity and computation of  
pension of the pensioners vide Memorandum of the  
Government of West Bengal bearing No. 53-  
ES/P/P&B/10M-99/2019 dated February 14, 2020  
and the revised pension payment order of the  
employee concerned under ROPA, 2019 was issued  
on January 27, 2022, in terms of the said revised  
pension payment order, the husband of the  
petitioner received the arrear pension and gratuity on  
January 27, 2022.

The petitioner in the instant writ petition is claiming that she is entitled to interest for the delayed payment of the said gratuity and arrear pension and is praying issuance of writ of mandamus commanding the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer, the respondents herein, to pay such interest.

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

The aforementioned respondents are, therefore directed to pay interest on the revised gratuity and arrear pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. February 14, 2020 till the date of payment of revised gratuity and arrear pension in terms of the said revised Pension payment order.

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

W.P.A. 13227 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.)**