

20.12.2024
(D/L-85)
Ct.-19
(SG)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A.13972 of 2024

Aparna Rani Maji Maity
Vs
The State of West Bengal & Ors.

Mr. Anirban Chakraborty
.... 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 he died-in-
harness on March 5, 2018.

The first pension payment order of the employee
concerned was issued on May 30, 2019.

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&B/10M-
99/2019 dated February 14, 2020 and the revised
pension payment order of the employee concerned
under ROPA, 2019 was issued on July 14, 2021, in
terms of the said revised pension payment order, the
petitioner received the arrear family pension and
gratuity on August 3, 2021.

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 family 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 family 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. 13972 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.)