

24.04.2024
(D/L-32)
Ct.-18
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 14167 of 2022
Minati Chakraborty
-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 Secondary
school and retired from his service on
superannuation on March 31, 2003 and died on
August 19, 2003.

The Pension Payment Order of the employee
concerned was issued on March 31, 2004 in
pursuance whereof the petitioner received the
gratuity and arrear family pension on March 21,
2005.

In the instant writ petition the prayer of the
petitioner 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.

It is now well settled that the petitioner is 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 retirement 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. 14167 of 2022 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.)