

15.5.2024  
(D/L-22)  
Ct.-18  
(SD)

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 14746 of 2022

Arati Jana  
Vs  
The State of West Bengal & Ors.

Mr. Bidhan Biswas

.... For the Petitioner.

Ms. Tuli Sinha

... For the State.

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

The husband of the petitioner was an approved  
Assistant Teacher of a secondary school and retired  
from his said service on superannuation on  
September 30, 2007 and died on May 27, 2019.

The first pension payment order of the employee  
concerned was issued on September 14, 2007.

Under the ROPA Rules, 2009, there was revision  
of the pension, gratuity and computation of pension of  
the pensioners vide Memorandum of the Government  
of West Bengal bearing No. 73-SE(B)/IM-4/2009  
dated May 19, 2009 and the revised pension payment  
order of the employee concerned under ROPA, 2009  
was issued on May 14, 2012, in terms of the said  
revised pension payment order, the husband of the  
petitioner received the arrear pension on August 5,  
2012.

The petitioner in the instant writ petition is  
claiming that she is entitled to interest for the delayed

payment of the said 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.

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

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 arrear pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. May 19, 2009 till the date of payment of revised 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. 14746 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.)**