

05.03.2024.
Court No. 13
Item no. 35
pk

W.P.A. No. 15559 of 2021

Joyanti Sarkar and another
Versus
The State of West Bengal & Ors.

Mr. Sariful Islam Mallick

..For the petitioner.

1. Affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.
2. The learned Advocate for the petitioners submits that the husband of the petitioner no. 1 and the father of the petitioner no. 2 was a head teacher of a primary school and died in harness on 17.02.2019. Revised Pension Payment Order was issued in favour of the petitioner on 12.03.2020 and Gratuity was released on 26.06.2020.
3. Although the petitioners were entitled to payment of pensionary benefit from the date of death of the teacher, 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 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 @ 9% per annum from the date of death of the teacher 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. There will be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)