

15.5.2024
(D/L-24)
Ct.-18
(SD)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 15744 of 2022

Sima Mandal
Vs
The State of West Bengal & Ors.

Mr. Bidhan Biswas

.... 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 who died-in-
harness on October 30, 2020.

The Pension Payment Order of the concerned
teacher was issued on August 17, 2021 in pursuance
whereof the petitioner received the gratuity and arrear
family pension on August 23, 2021.

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 pension and gratuity from the date of death 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. 15744 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.)