

07.08.2024

Sl. 48
Ct.No. 14
Amalranjan

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 16645 of 2024

Mamata Giri
Vs.
The State of West Bengal and ors.

Mr. Sourav Mitra
...for the petitioner

Ms. Sreemoyee Mitra
...for the State

Affidavit of service filed by the petitioner is taken on record.

The petitioner claims to be the widow daughter of a deceased primary school teacher. She seeks family pension. The mother of the petitioner pre-deceased her father.

The benefit of family pension has been allowed by the State Government by a Government circular dated 13th April, 2010. The Pension Payment Order was issued in favour of the pensioner on 11th March, 2024. The petitioner seeks interest on account of the delayed payment of the arrear family pension.

It is settled law that the terminal benefit is not a bounty and valuable right in the hand of the employee or on his death in the hand of the heirs of the deceased employee.

In the instant case, family pension was disbursed long after the date of death of the teacher. The respondent authority ought to pay interest on account of such delayed payment.

In view of the above, the District Inspector of Schools (P.E) Paschim Medinipore and the Treasury Officer, Jhargram are directed to take necessary steps for paying simple interest to the heirs of the deceased teacher @ 7% per annum to be calculated on and from 13th December, 2013 till the date of actual payment.

The payment shall be made at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The writ petition is disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha,J.)