

05.07.2024
Ct. No. 2
Sl. No. 17
tbsr

WPA 16930 of 2024

Nepal Chandra Gorai
Vs.
The State of West Bengal & Ors.

Mr. Krishna Pada Santra
....for the petitioner

Mr. Tarak Karan
....for the State

Affidavit-of-service, filed in Court today, is taken on record.

The petitioner was an approved **Job Assistant** at **Amarsota Gram Panchayat, District – Paschim Bardhaman**. He had retired from his employment on **June 30, 2017**.

The pension payment order was issued by the concerned respondent on **August 7, 2017** and ROPA part was issued on **July 20, 2021**.

Under **ROPA Rules, 2019**, there was a revision of Pension, Gratuity and computation of Pension of the pensioners under the Government notification/memorandum bearing **No. 2330/PN/O/111/2E-01/2020** and the revised pension payment order of the petitioner under ROPA, 2019 was issued on **July 20, 2021**.

The petitioner now claims interest for the delayed payment of the said gratuity and arrear pension from the date of entitlement under Ropa 2019 benefits.

Mr. Tarak Karan, learned advocate appears for respondents.

It is trite that, the pension, which is lawfully payable to an employee is its property and if there is any delay in making such payment and the disbursement thereof in favour of such employee, such an employee is eligible and entitle to receive interest.

In view of the above, the respondents and or the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer are directed to pay interest on the revised gratuity on arrear pension @ 8% per annum from the date of entitlement till the date of actual payment being received by the petitioner in terms of the revised pension payment order.

The entire exercise as directed above, shall be carried out and completed positively by the respondents and or the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer within a period of eight weeks from the date of communication of this order. In default, the said arrear amounts and the entitlement of the petitioner shall carry an additional interest of 2% per annum till the date the petitioner actually receives the same.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

On the above terms, this writ petition being **WPA 16930 of 2024** stands disposed of.

There shall, however, be no order as to costs.

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

(Aniruddha Roy, J.)