

05.07.2024
Ct. No. 2
Sl. No. 22
tbsr

WPA 17027 of 2024

Jayanta Kumar Maiti
Vs.
The State of West Bengal & Ors.

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

Ms. Debarati Sen (Bose)
....for the State

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

The petitioner was an approved **Sahayak (G.P)** at
Balluk II No. Gram Panchayat, District – Purba
Medinipur. He had retired from his employment on
September 30, 2023.

The pension payment order was issued by the
concerned respondent on March 22, 2024. The petitioner
had received pension and gratuity under the pension
payment order on April 4, 2024. The petitioner was
entitled to pensionary benefit from the date of retirement,
the same was not paid.

The petitioner now claims interest for the
delayed payment of the said gratuity and arrear pension
on and from October 1, 2023.

Ms. Debarati Sen (Bose), learned advocate
appears for State 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 gratuity and arrear pension @ 8% per annum on and from the next date of retirement till actual payment being received by the petitioner in terms of the 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 17027 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.)