

08.03.2024
Sl. No.134
AP

WPA 18355 of 2023

Sambit Sarkar
-Vs-
The State of West Bengal & Ors.

Mr. Krishna Pada Santra
... for the petitioner

The affidavit of service filed by the learned Advocate for the petitioner in Court today be kept on record.

The learned Advocate for the petitioner submits that the petitioner's wife was an Assistant Teacher of a high school and she died-in-harness on 23.09.2014. Pension Payment Order was issued on 12.05.2022 and the gratuity and arrear Pension of the petitioner was released on 02.06.2022.

Although the petitioner was entitled to payment of pensionary benefit from the date of his retirement, the same was not paid. By representing this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of arrear pension and gratuity.

I have heard the learned Advocate for the petitioner and have also considered the orders passed by different Hon'ble Judges on the writ petitions involving similar issues.

In view thereof, the writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay interest to the petitioner on gratuity and arrear pension @ 9% per annum from the next date of death of the employee 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.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)