

WPA 19347 of 2023

Nakul Chandra Khanra
Vs
The State of West Bengal & Ors.

Ms. Sabita Khutia (Bhunya)
Mr. Krishna Pada Santra
.....for the Petitioner

Mr. Bhaskar Prasad Vaisya
Mr. Nilay Baran Mondal
.....for the State

The petitioner claims interest on delayed payment of family pension and gratuity. It has been submitted that despite issuance of the PPO in the year 2002, the money was not disbursed in favour of the petitioner. Only after the Court intervened and passed order, the payment has been made.

Learned advocate representing the State respondents has filed a report affirmed by the Additional Treasury Officer, Uluberia Treasury which mentions that the payment could not be made because the petitioner did not submit the relevant documents before the Treasury Officer. As the document relating to remarriage of the writ petitioner was not filed before the authority, the money could not be disbursed.

It is only after the petitioner filed the writ petition in the year 2023 and Court passed order in the month of August, 2024, the petitioner submitted documents in the office of the Treasury on 6th September, 2024 and the money was disbursed in his favour on 9th September, 2024.

In response to the said report, the learned advocate for the petitioner asserts that all documents were submitted on time. However, the submission of the petitioner is not backed up by any document. From the writ petition it appears that first representation was filed by the petitioner in the year 2022.

The petitioner himself is a retired school teacher and he is receiving his pension. The spouse of the petitioner was also a school teacher who died-in-harness on 28th July, 1996 after rendering 2 years, 10 months and 6 days qualifying service. The petitioner did not proceed with the non-issuance of family pension in his favour for nearly twenty years.

At this stage the prayer of the petitioner for grant of interest on account of delayed payment of family pension cannot be accepted.

The writ petition fails and is hereby dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J)