

15.5.2024
(D/L-38)
Ct.-18
(SD)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 21953 of 2023

Rita Manna
Vs
The State of West Bengal & Ors.

Mr. Uttam Kumar Roy
Mrs. Ghazala Firdaus

.... For the Petitioner.
... for the State.

Affidavit-of-service filed by the learned advocate for the petitioner be kept with the record.

The husband of the petitioner was an approved Assistant Teacher of a secondary school and retired from his said service on superannuation on January 31, 2015 and died on August 23, 2021.

The Pension Payment Order of the employee concerned was issued on December 7, 2015 in pursuance whereof the petitioner received the gratuity and arrear family pension on February 27, 2016.

The petitioner is praying that a writ of mandamus be issued commanding the respondents to pay interest on the said amount of gratuity and arrear family pension for the delayed payment.

Learned advocate for the State does not oppose the prayer of the petitioner.

It is now well settled that the petitioner is entitled to the interest, as prayed for.

The respondents, the concerned Treasury Officer in particular are, therefore, directed to pay interest @ 8% per annum on the amount of gratuity and arrear family pension from the date of retirement of the employee concerned till the date of such payment.

The payment as aforesaid shall be made within the period of eight weeks from the date of communication of this order, in default the said arrear amount shall fetch an additional interest of 2% per annum.

W.P.A 21953 of 2023 stands disposed of with the above directions. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)