

06.03.2024
Court No.13
Item No.252
AP

WPA 22051 of 2023

**Ashima Mandal and Ors.
Vs.
The State of West Bengal and Ors.**

Mr. Krishna Pada Santra

... For the Petitioners.

Mr. Swapan Kumar Chatterjee

... For the State.

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

The learned Advocate for the petitioners submit that the employee was a Head Master of a high school and he died in harness on 14.03.2019. Pension Payment Order was issued on 08.11.2022 and the Gratuity and Arrear Family Pension was released on 06.12.2022.

Although the petitioners were entitled to payment of pensionary benefit from the date of death of the employee, the same was not paid. By representing this writ petition, the petitioners pray 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 petitioners 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 petitioners 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 petitioners.

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.)