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19.09.2024
Ct. No. 18
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W.P.A. 23508 of 2024

**Manik Kumar Biswas
Vs.
The State of West Bengal & Ors.**

Mr. Suryasatathi Basu

...for the petitioner

Mr. Tapas Kumar Dey

...for the State

Affidavit of service filed in Court is kept with the record.

Petitioner is a retired assistant teacher, who superannuated on 31st December, 2017. After superannuation of the petitioner, Pension Payment Order was issued on 5th June, 2018. In terms of the Pension Payment Order retiral dues were released in favour of the petitioner. By presenting this writ petition petitioner is claiming interest on gratuity due to delayed payment.

In spite of service of notice State-respondents are not represented.

Mr. Tapas Kumar Dey, learned advocate who usually represents State-respondents is requested to represent the State-respondents.

Let engagement of Mr. Tapas Kumar Dey, learned advocate be regularized by the office of the learned Government Pleader.

Accordingly, the Director of Pension, Provident Fund and Group Insurance, West Bengal and the concerned Treasury Officer are directed to pay interest at the rate of **8%** per annum on gratuity as per Pension Payment Order from the date following the date of superannuation till the date of release of gratuity in favour of the petitioner, within a period of 8 (eight) weeks from the date of communication of this order.

Since no affidavit is called for, the allegations contained in the writ petition are deemed not to have been admitted.

With the above observation, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)