

02.01.2024
(S/L-2)
Ct.-18
(P. Jana)

W.P.A. 23073 of 2023
With
(IA No: CAN 1 of 2023)

Asok Kumar Pahari
-Vs-
The State of West Bengal & Ors.

Mr. Saibal Kumar Acharyya,
Mr. Pradip Paul,
Ms. Renesa Dey,
.... For the Petitioner.

Mr. Manik Lal De, For the State.

Re: IA No: CAN 1 of 2023

Affidavit-of-service on behalf of the petitioner be
kept with the record.

This is an application for bringing on record the
copy of the revised Pension Payment Order under
ROPA-2019 issued in favour of the petitioner, which
is annexed with the application being Annexure P-3.

The explanation offered by the petitioner for not
bringing the copy of the said document on record
earlier is satisfactory, as such the application is
allowed.

IA No: CAN 1 of 2023 is thus disposed of
without any order as to costs.

Re: W.P.A. 23073 of 2023

The petitioner was an approved Assistant
Teacher of a secondary school and retired from his
said service on superannuation on October 31, 2018.

The first pension payment order of the
petitioner was issued on May 10, 2019.

Under the ROPA Rules, 2019, there was revision of the pension, gratuity and computation of pension of the pensioners vide Memorandum of the Government of West Bengal bearing No. 53/ES/P/P&B/10M-99/2019 dated February 14, 2020 and the revised pension payment order of the petitioner under ROPA, 2019 was issued on July 09, 2021, in terms thereof, the petitioner received the arrear pension and gratuity on July 27, 2022.

The petitioner in the instant writ petition is claiming that he is entitled to interest for the delayed payment of the said gratuity and arrear pension and is praying issuance of writ of mandamus commanding the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer, the respondents herein, to pay such interest.

Learned advocate for the State-respondents 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 aforementioned respondents are, therefore directed to pay interest on the revised gratuity and arrear pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. February 14, 2020 till the date of payment of revised gratuity and arrear pension in terms of the said revised Pension payment order.

The payment, as aforesaid, shall be made within a period of twelve weeks from the date of communication of this order, in default, the said

arrears amount shall fetch an additional interest of 2% per annum.

W.P.A. 23073 of 2023 is thus disposed of with the above terms without any 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.)