

20.03.2024
Court No.13
Item No.40
AP

WPA 23552 of 2022

Tapan Kumar Mondal
Vs.
The State of West Bengal and Ors.

Mr. Pankaj Halder

... for the Petitioner.

Mr. Suman Dey
Mr. Hemanta Kumar Das

... for the State.

1. This Court has considered the report of the respondent and the same is taken on record.

2. During the pendency of this writ petition, PPO has been issued and pension has been commenced. Gratuity and other retiral benefits have been paid. What remains to be considered is the refund of the overdrawal amount of Rs.1,43,411/-. The petitioner shall be entitled to refund of the same forthwith.

3. In so far as the arrears of pension to the petitioner i.e. as per the correct PPO issued to him and the delay in payment of gratuity is concerned, the same shall be paid with interest to the petitioner at the rate of 7% per annum from the date of retirement till the date of actual payment of the same.

4. There shall be no interest on the refund by the respondents to the petitioner of the excess amount of Rs.1,43,411/-.

5. Let the aforesaid payment be made to the petitioner within a period of one month from date. In default, the rate of interest shall stand increased to 9% per annum.

6. With the aforesaid directions, the writ petition is disposed of.

7. There shall be no order as to costs.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)