

W.P.A. 24811 of 2024

**Pragnaparamita Mandal & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sreyasree Choudhury
...for the petitioner

Ms. Saswati Chatterjee
...for the State

Affidavit of service filed on behalf of the petitioners
is taken on record.

Three petitioners are before this Court who are claiming interest on delayed payment of gratuity in view of death of their father who died in harness on 21st August, 2022. After the death of father of the petitioners Pension Payment Order was issued on 31st July, 2023 and in terms thereof terminal benefits including family pension were released. Wife of the petitioner has received family pension and it has been submitted that death-cum-retiring gratuity has been equally divided in favour of petitioners being wife and two sons. Petitioners pray for payment of interest on delayed payment of gratuity in equal proportion to the petitioners who have already received gratuity.

State-respondents are represented by learned advocate.

Having considered the submissions made on behalf of the petitioners the writ petition stands disposed of directing the Director of Pension, Provident Fund and Ground Insurance and the concerned Treasury Officer to release interest @ **8%** per annum on gratuity in the same proportion of releasing death-cum-retiring gratuity in favour of the petitioners as indicated in the Pension Payment Order dated 31st July, 2023, within a period of 8 (eight) weeks from the date of communication of this order.

The interest shall be paid to the petitioners on gratuity from the date following the date of death of the teacher till the date of release of gratuity.

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.)