

60 06.11.2024
rkd Ct.18

W.P.A. 26389 of 2024

Samima Khatun

-vs-

The State of West Bengal & Ors.

Mr. Bidhan Biswas

....for the petitioner.

Ms. Saswati Chatterjee

....for the State.

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

At the time of call no one appears on behalf of the State respondents in spite of service of notice.

Ms. Saswati Chatterjee, learned advocate who is present in Court and who normally represents the State respondents is requested to enter appearance on behalf of State respondents.

Let engagement of Ms. Chatterjee be regularized by the office of the learned Government Pleader.

Wife of the petitioner has come up with the present writ petition since her husband was an Assistant Teacher who died-in-harness on 2nd November, 2019. After death of the husband of the petitioner Pension Payment Order was issued vide memo dated 7th September, 2023 releasing terminal

benefits including death gratuity. The writ petitioner claims interest on gratuity and arrear pension which have been released in favour of the petitioner belatedly.

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 to the writ petitioner on gratuity from the date following the date of death of the husband of the petitioner till the date of disbursement of the same, within a period of eight weeks from the date of communication of this order.

At this stage prayer for interest on arrear pension is not allowed.

However, leave is granted to the petitioner to make a representation to the concerned District Inspector of Schools (SE) claiming interest on arrear pension.

If such representation is made within fortnight from date the District Inspector of Schools (SE) concerned shall take decision on such representation within eight weeks thereafter and the decision shall be communicated to the petitioner within one week thereafter.

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.)