

24.04.2024
Item No.112
Court No.18
SK

W.P.A. 26289 of 2023

Malay Kumar Das
-Vs-
The State of West Bengal & Ors.

Ms. Sreyasree Choudhury
.....for the petitioner.

Affidavit-of-service filed by the learned advocate
for the petitioner be kept with the record.

In spite of service none appears on behalf of the
State respondents.

The petitioner was an approved Assistant
Teacher of a secondary school and retired from his
said service on superannuation on October 31, 2019.

The Pension Payment Order of the petitioner
was issued on December 05, 2020 in pursuance
whereof he received the gratuity and the arrear
Pension on December 23, 2020.

The petitioner is praying that a writ of
mandamus be issued commanding the respondents
to pay interest on the said amount of gratuity and
the arrear pension for the delayed payment.

It is now well settled that the petitioner is
entitled to the interest, as prayed for.

The respondents, the concerned Treasury
Officer in particular are, therefore, directed to pay
interest @ 8% per annum on the gratuity and the
arrear amount of pension from the date of retirement
of the petitioner till the date of such payment.

The payment as aforesaid shall be made within the period of eight weeks from the date of communication of this order, in default the said arrear amount shall fetch an additional interest of 2% per annum.

W.P.A. 26289 of 2023 stands disposed of with the above directions. There shall be no 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.)