

05.09.2024
Sl. No. 16.
D/L.
Mithun
Ct.No.17.

WPA 26468 of 2023

Aparna Das
Vs.
State of West Bengal & Ors.

Mr. Dilip Kumar Maiti
...for the petitioner.

Md. Manuwar Ali,
Ms. Moumita Karmakar
...for respondent nos.1 & 7..

Mr. Jayanta Samanta,
Mr. Tapas Kumar Dey
...for respondent no.4.

Mr. S. Sanyal,
Mr. Shahana Naznim,
Ms. Priyakshi Banerjee,
Mr. Sabyasachi Roy
...for respondent nos.2 and 3.

Mr. Sourav Mondal,
Mr. S. Paul
...for Principal Accountant General.

Report filed in respect of intimation to the
Principal of the College in question as filed in Court is
taken on record.

Learned Counsel appearing on behalf of the
petitioner submits as follows. The petitioner is the
wife of an employee of a College. The employee had
passed away on 06.11.2019. But, due to reasons not
known to the petitioner, the pension payment order
was issued only on 02.03.2023. The respondent

authorities released gratuity and arrear pension amount without giving any interest to the petitioner on the basis of the pension payment order on 20.03.2023. Therefore, the petitioner is entitled to interest on gratuity @ 8%.

Learned Counsel appearing on behalf of the College submits that her client has no objection if interest is paid to the petitioner in accordance with law.

Learned Counsels appearing on behalf of the DPI and the respondent nos.1 and 7 submit that no formal representation has been made to claim interest on gratuity before the concerned authority. It is also submitted that payment was made once documents were received by the concerned State authorities.

It appears that pensionary benefits and gratuity was paid to the petitioner after a long delay. This entitles the petitioner to an amount of interest on gratuity.

In view of the above, let the petitioner make the representation in this regard before the concerned DPI within a fortnight. Within four weeks from making of such representation, the respondent DPI shall consider such representation in accordance with law and

intimate the outcome of such consideration to the petitioner within a week thereafter.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Jay Sengupta, J.)