

20.03.2024
Item No.75
Court No.18
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 26782 of 2023

**Emdadul Hoque
-Vs-
The State of West Bengal & Ors.**

Mr. Sudip Sarkar.
.....for the petitioner.
Mr. S.M. Hassan,
Ms. Anupama Yasmin.
.....for the State.

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

The wife of the petitioner was an approved Assistant Teacher of a Secondary school who died-in-harness on April 27, 2016.

The Pension Payment Order of the concerned employee was issued on June 27, 2017 in pursuance whereof the petitioner received the arrear family pension on August 05, 2017.

In the instant writ petition the prayer of the petitioner is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of arrear family pension for the delayed payment.

Learned Advocate for the State respondents does not oppose the prayer of the petitioner.

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 arrear amount of family pension from the date of death of the teacher concerned 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. 26782 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.)