

20.03.2024
Item No.96
Court No.18
SK

W.P.A. 27014 of 2023

Mira Rani Dolai & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Krishna Pada Santra
.....for the petitioners.
Mr. S. M. Hassan,
Ms. Anupama Yasmin ...for the State.

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

The husband of the petitioner no. 1 and the
father of the petitioner nos. 2 and 3 were an
approved Clerk of a secondary school and retired
from his service on superannuation on July 31, 2018
and died on August 09, 2020.

The Pension Payment Order of the employee
concerned was issued on March 16, 2022 in
pursuance whereof the petitioners received the
gratuity and the arrear Pension on April 01, 2022.

The petitioners are 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.

Learned advocate for the State-respondents
does not oppose the prayer of the petitioners.

It is now well settled that the petitioners are
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 employee 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. 27014 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.)