

15.5.2024
(D/L-50)
Ct.-18
(SD)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 28224 of 2023

Samir Kumar Sarkar

Vs

The State of West Bengal & Ors.

Mr. Uttam Kumar Roy

.... For the Petitioner.

Mr. Debnarayan Patra

... for the State.

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

The petitioner was an approved Assistant
Teacher of a secondary school and retired from his
said service on superannuation on March 31, 2020.

The Pension Payment Order of the petitioner
was issued on August 27, 2020 in pursuance whereof
he received the gratuity and arrear pension on
February 20, 2021.

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

Learned advocate for the State 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 gratuity and arrear 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 28224 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.)