

24.04.2024
Item No. 118
Court No.18
SK

W.P.A. 28292 of 2023

Sukumar Bhunia
-Vs-
The State of West Bengal & Ors.

Mr. Keshab Chandra Das,
Ms. Aparajita Mondal,
Mr. Biplab Adak
.....for the petitioner.
Ms. Shabnam Farooqui
...for the State.

Affidavit-of-service and supplementary affidavit
to the writ petition filed by the learned advocate for
the petitioner be kept with the record.

The petitioner by the said supplementary
affidavit has corrected the date of retirement of the
petitioner.

The petitioner was an approved Assistant
Teacher of a secondary school and retired from his
said service on superannuation on May 31, 2016.

The Pension Payment Order of the petitioner
was issued on April 18, 2016 in pursuance whereof
he received the gratuity and the arrear Pension on
September 29, 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
the arrear 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 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. 28292 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.)