

08.03.2024
Sl. No.29
pk

W.P.A. 28506 of 2023

Beauti Barman Sarkar
-Vs-
The State of West Bengal & Ors.

Mr. Sudip Sarkar
... for the petitioner

Mr. Anis Datta Sarma
... for the State.

The affidavit-of-service filed by the learned Advocate for the petitioner in Court today be kept with the record.

The learned Advocate for the petitioner submits that the husband of the petitioner was a Clerk of a school and died in harness on 28.02.2021. Pension Payment Order was issued on 20.12.2021 and the gratuity and arrear pension of the petitioner was released on 24.01.2022.

Although the petitioner was entitled to payment of gratuity benefit from the date of death of the employee, the same was not paid. By presenting this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of arrear pension and gratuity.

I have heard the learned Advocate for the petitioner and have also considered the orders passed by different Hon'ble Judges on the writ petitions involving similar issues.

In view thereof, this writ petition stands disposed of with a direction upon the respondents and particularly the concerned Treasury Officer to pay interest to the petitioner on gratuity and arrear family pension @ 9% per annum from the next date of death of the employee till the date of actual payment within 16 weeks from the date of service of an authenticated copy of this order failing which, additional interest @ 2% per annum shall be payable to the petitioner.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)