

08.03.2024
Sl. No.23
pk

W.P.A. 28500 of 2023

Pradip Kumar Bhattacharjee and others
-Vs-
The State of West Bengal & Ors.

Mr. Krishna Pada Santra
... for the petitioners

Mr. Somraj Dhar
... 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 brother of the petitioners was an assistant teacher of a school and died in harness on 29.05.2018. Pension Payment Order was issued on 19.12.2022 and the gratuity was released on 01.02.2023.

Although the petitioners were 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 petitioners pray 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 @ 9% per annum from the next date of retirement of the petitioner 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.)