

20.12.2024
Item No.123
Court No.19
SK

*In The High Court At Calcutta
Constitutional Writ Jurisdiction*
W.P.A. 30106 of 2024

Sushama Mahata & Ors.
-Vs-
The State of West Bengal & Ors.

Ms. Sreyasree Choudhury
.....for the petitioners.
Mrs. Ghazala Firdaus ...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, 3 and 4 was an
approved Assistant Teacher of a primary school, who
died-in-harness on December 26, 2019.

The Pension Payment Order of the employee
concerned was issued on May 24, 2022 in pursuance
whereof the petitioners received the gratuity and
arrear Pension on June 03, 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
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 death 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. 30106 of 2024 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.)