

20.12.2024
Item No.129
Court No.19
SK

*In The High Court At Calcutta
Constitutional Writ Jurisdiction*
W.P.A. 30177 of 2024

Nisha Mandal & Ors.
-Vs-
The State of West Bengal & Ors.

Ms. Sreyasree Choudhury
.....for the petitioners.

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

In spite of service none appears on behalf of the
State-respondents.

The husband of the petitioner no. 1 and the
father of the petitioner nos. 2 and 3 was an approved
Head Teacher of a primary school, who died-in-
harness on December 24, 2023.

The Pension Payment Order of the employee
concerned was issued on August 21, 2024 in
pursuance whereof the petitioners received the
gratuity and arrear Pension on November 29, 2024.

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.

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. 30177 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.)