

13.03.2024
Item No.19
Court No.02
AJ.

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

W.P.A. 531 of 2024

Manika Roy & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Jakir Hossain.

.... for the Petitioners.

Mr. Subir Kumaer Saha, Ld. A.G.P.,

Ms. Bedashruti Bose.

.....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 father of the petitioner nos.2 and 3 was an approved Assistant Teacher of a Higher Secondary school who died-in-harness on December 16, 1986.

The Pension Payment Order of the concerned teacher was issued on December 31, 2013 in pursuance whereof the petitioners received the gratuity and arrear pension on March 20, 2014.

In the instant writ petition the prayer of the petitioners is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of 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 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. 531 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.)