

13.03.2024

Item No.23

Court No.02

AJ.

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

W.P.A. 583 of 2024

Radha Gazmer

-Vs-

The State of West Bengal & Ors.

Mr. Anirban Chakraborty.

.... for the Petitioner.

Mr. Pretom Das,

Mr. Sandip Guha Roy.

.....for the State.

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

The husband of the petitioner was an approved Gram Panchayat Karmee of Hanta Pram Panchayat, District : Darjeeling who died-in-harness on September 30, 2022.

The Pension Payment Order of the concerned employee was issued on December 07, 2023 in pursuance whereof the petitioner received the gratuity and arrear pension on January 26, 2024.

In the instant writ petition the petitioner is praying that 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 petitioner.

It is now well settled that the petitioner is 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. 583 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.)