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29.01.2024
SBIII
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**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

WPA/2408/2023

SWAGATA MISSRA BISWAS
VS
THE STATE OF WEST BENGAL AND ORS

Ms. Matan Chakraborty.
...For the Petitioner.

Mr. Subir Kr. Saha, AGP.,
Mr. Momenur Rahman.
..For the State.

The petitioner seeks interest on delayed payment of her terminal dues. The petitioner has already forwarded a representation seeking interest on arrear pension from 01.04.2013 to 08.09.2014. The payment was actually made on 04.01.2023.

It is settled law that an employee ought to receive the terminal benefit immediately upon retirement.

In the instant case, it appears that there was delay in payment of the terminal benefit. There is no reason as to why interest shall not be paid on account of such delayed payment of the terminal dues.

In view of above, Treasury Officer, Jalpaiguri-II is directed to pay interest to the petitioner @ 7 % p.a. on account of the delayed payment on and from the due date till the amount was actually credited in favour of the petitioner.

Interest shall be paid only after ascertaining as to whether there was any delay on the part of the respondents in making the payment. If the petitioner herself was responsible for the delay, then she will not be entitled to any interest. The interest shall be

calculated and paid at the earliest, but positively within a period of eight weeks from the date of communication of this order.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)