

27.11.2024
Item No.15
Court No.02
SK

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

W.P.A. 2450 of 2024

Helena Kindo Toppo

-Vs-

The State of West Bengal & Ors.

Mr. Sanjoy Mazoomdar,
Ms. Sukanya Adhikary
.....for the petitioner.
Mr. Momenur Rahman,
Mr. Anirban Banerjee
.....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 Assistant Teacher of a primary school and retired from his said service on superannuation on January 31, 2019 and died on March 22, 2020.

The Pension Payment Order of the concerned employee was issued on November 14, 2022 in pursuance whereof the petitioner received the gratuity and the arrear Pension on November 29, 2022.

In the instant writ petition the prayer of the petitioner is a writ of mandamus be issued commanding the respondents to pay interest on

the said amount of arrear pension and gratuity 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 and gratuity from the date of retirement 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. 2450 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.)