**HIGH COURT OF TRIPURA**
**AGARTALA**

**WA No.108 of 2024**

1. The State of Tripura, to be represented by the Secretary, Department of Home, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, Agartala, West Tripura, PIN: 799010.
2. The Inspector General of Prisons, Prisons Directorate, Dhaleswar, Agartala, West Tripura-799007.
3. The Superintendent, Kendriya Sansodhanagar, Bishalgarh, Sepahijala District, Tripura.

.....Appellant(s);

Versus

1. Sri Abhiram Majumder, S/o: Late Dudhbal Majumder, R/o: Nabagram, PO: Airport, Agartala, PIN: 799001.
2. The Accountant General, O/o the Accountant General (A & E), Agartala, Tripura, PIN: 799006.

.....Respondent(s);

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For Appellant(s) : Mr. Dipankar Sarma, Addl. G.A.

For Respondent(s) : Mr. Purusuttam Roy Barman, Sr. Advocate,
Mr. Samarjit Bhattacharjee, Advocate,
Mr. Kawsik Nath, Advocate,
Ms. Aradhita Debbarma, Advocate,
Mr. Samar Das, Advocate,
Mr. Agniva Chakrabroty, Advocate.

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**HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO**
**HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA**

**ORDER**

**28/10/2025**

Heard counsel for the appellant as well as counsel for the respondents.

2. Having regard to the notification dt. 08.04.1997 issued by the Finance Department, Government of Tripura, mandating payment of 10% interest per annum in case of delayed payment of gratuity, and since admittedly the respondent retired on 31.03.2017 and the gratuity was paid on 20.08.2022 without interest, the learned Single Judge did not commit any error

in allowing the writ petition filed by the respondent and awarding interest on delayed payment of gratuity.

3. Admittedly, the respondent was granted only provisional pension from April, 2017 and only in August, 2022, regular pension was sanctioned and arrears were paid, but no interest was paid on the arrears. Petitioner, therefore, cannot be denied interest on the delayed payment of arrears of pension as well.

4. Our view is fortified by the decisions of the Supreme Court in ***S. K. Dua Versus State of Haryana and another***[1] and ***D.D. Tewari (Dead) through Legal Representatives Versus Uttar Haryana Bijli Vitran Nigam Ltd. and others***[2]***.***

5. In the latter judgment, an award of interest was made @9% per annum, both on the amount of pension due and the gratuity amount payable to the appellant before the Supreme Court.

6. Since in the instant case the respondent has been driven to this Court twice, and since as a matter of principle, the respondent is entitled to interest both on delayed payment of gratuity as well as on arrears of pension in view of the above decisions of the Supreme Court, we see no reason to interfere in the judgment of the learned Single Judge.

7. Accordingly, the instant appeal fails and is dismissed with costs of Rs.20,000/- to be paid by the appellant to the respondent. Pending application(s), if any, shall stand disposed of.

**(S. DATTA PURKAYASTHA, J)** **(M.S. RAMACHANDRA RAO, CJ)**

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[1] (2008) 3 SCC 44
[2] (2014) 8 SCC 894