

S/L 39
06.03.2025
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 2874 of 2025

Sugata Kar

Vs.

The State of West Bengal & Ors.

Ms. Jonaki Saha

...for the Petitioner.

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

In spite of service, none appears on behalf of the State-respondent.

The wife of the petitioner was an approved Assistant Teacher of a primary school who died-in-harness on October 13, 2017.

The Pension Payment Order of the concerned teacher was issued on March 2, 2019 in pursuance whereof the petitioner received the gratuity and arrear family pension on April 2, 2019.

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 gratuity and arrear family pension for the delayed payment.

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 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.

WPA 2874 of 2025 stands disposed of with the above directions without any 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.)