

26.03.2025  
Item No.190, DL,  
Court No.19  
AJ.

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION**

**W.P.A. 4569 of 2025**

**Sukumar Jana & Ors.**

**-Vs-**

**The State of West Bengal & Ors.**

Ms. Sreyasree Chowdhury.  
.....for the petitioners.

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

None appears on behalf of the State respondents in spite of service.

The wife of the petitioner no.1 and the mother of the petitioner nos.2 and 3 was an approved Assistant Teacher of a primary school, the said teacher died-in-harness on March 21, 2022.

The Pension Payment Order of the employee concerned was issued on November 02, 2022 in pursuance whereof the petitioners received the gratuity and the arrear family pension on February 20, 2023.

In the instant writ petition the prayer of the petitioners 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 petitioners are 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 gratuity and the arrear amount of family 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. 4569 of 2025 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.)**