

26.03.2025
(D/L-123)
Ct.-19
(SG)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 5506 of 2025

Sarmistha Das
-Vs-
The State of West Bengal & Ors.

Ms. Arpita Saha,
Mr. Krishna Pada Santra,
.... For the Petitioner.
Ms.Tuli Sinha,
.... 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 Head Master of a primary school and who died-in-harness on March 27, 2018.

The Pension Payment Order of the concerned employee was issued on April 04, 2019 in pursuance whereof she received the gratuity and the arrear family pension on April 18, 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 arrear family pension and gratuity 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 family pension and gratuity from the date of death of the employee concerned till the date of such payment.

Learned advocate for the State-respondents does not oppose the prayer of the petitioner.

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 5506 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.)