

26.03.2025
Item No.196, DL,
Court No.19
AJ.

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

W.P.A. 5555 of 2025

**Tapati Maiti
-Vs-
The State of West Bengal & Ors.**

Mr. Dinesh Pani.
.....for the petitioner.

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

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

The father of the petitioner was an approved Assistant Teacher of a primary school, the said teacher retired on superannuation on December 31, 1992 and died on September 27, 2011. The mother of the petitioner has also expired on December 12, 2006.

The Pension Payment Order of the employee concerned was issued on September 09, 2024 in pursuance whereof the petitioner received the gratuity and the arrear family pension on October 23, 2024.

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 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 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. 5555 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.)