

26.03.2025
Item No.197, DL,
Court No.19
AJ.

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

W.P.A. 5691 of 2025

Usha Mondal

-Vs-

The State of West Bengal & Ors.

Mr. Uttam Kumar Roy.

.....for the petitioner.

Sk. Md. Masud.

.....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 Assistant Teacher of a primary school and retired from his said service on superannuation on May 31, 1979 and died on January 01, 1989.

The Pension Payment Order of the employee concerned was issued on December 22, 2011 in pursuance whereof the petitioner received the gratuity and the arrear family pension on February 01, 2012.

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.

Learned Advocate for the State respondent does not oppose the prayer of the petitioner.

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 gratuity and the arrear amount of family pension and gratuity from the date of retirement 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. 5691 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.)