

06.01.2025
(M/L 03)
Ct.-19
(Susanta)

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

W.P.A. 6700 of 2024

Rupali Maity
-Vs-
The State of West Bengal & Ors.

Mr. Saktipada Jana,
Ms. Sudipta Pramanik,
...For the Petitioner.

Affidavit-of-service filed on behalf of the
petitioner be kept with the record.

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

The father of the petitioner was an approved
Assistant Teacher of a Primary School who on
attaining the age of superannuation, had retired
from his service on March 31, 1995 and had
died on June 13, 2013. The mother of the
petitioner did not receive family pension during
her lifetime and had also died on March 01,
2014.

The Pension Payment order of the employee
concerned was issued on December 12, 2022, in
pursuance whereof the petitioner had received
the gratuity and arrear family pension on
December 28, 2022.

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 of it.

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 amount of gratuity from the date when it was payable and also on the arrear family pension from the date of death of the concerned teacher till the date of payment of such amounts.

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.6700 of 2024 stands disposed of with the above directions. There shall be no order as to costs.

Parties to act on the server copy of this order duly downloaded from the official website of this Court.

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.)