

W.P.A. 7660 OF 2024

Pratima Bhattacharya

Vs.

The State of West Bengal & Others

Ms. Arpita Saha, Adv.

...for the Petitioner

Mr. Subhajit Roy, Adv.

...for the State

In terms of previous order, notice was served upon learned advocate representing the State respondents and same is taken on record.

Today State respondents are represented by learned advocate.

Petitioner is the mother of a deceased daughter who *died-in-harness* on 9th July, 2020. It is submitted by the learned advocate representing the petitioner that daughter was unmarried and petitioner being the mother was nominee in connection with service of her daughter. In support of such submission reliance is placed on the pension payment order dated 4th January, 2022, which is at page 13 of the writ petition wherefrom it appears that 100 per cent death-cum-retiring gratuity was paid to the petitioner. Petitioner claims interest on delayed payment of gratuity.

Since petitioner was nominee in connection with service of her daughter and received 100 per cent share of death-cum-retiring gratuity due to untimely death of her daughter on 9th July, 2020, this Court finds there is no impediment in giving direction upon the State

respondents to pay interest on gratuity due to delayed payment.

Accordingly, the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer are directed to pay interest at the rate of 8% per annum to the petitioner on gratuity from the date following the date of death of the daughter of the petitioner till the date of release of same, within a period of eight (8) weeks from the date of communication of this order.

Since no affidavit is called for, the allegations contained in the writ petition are deemed not to have been admitted.

With the above observation, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)