

26.03.2025
Item No.62
Court No.19
SK

*In The High Court At Calcutta
Constitutional Writ Jurisdiction*
W.P.A. 8834 of 2024

Malini Hembram
-Vs-
The State of West Bengal & Ors.

Ms. Sudipa Biswas
.....for the petitioner.

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

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

The husband of the petitioner was an approved
Head Teacher of a primary school who died-in-
harness on May 24, 1998.

The Pension Payment Order of the employee
concerned was issued on September 13, 2002 in
pursuance whereof the petitioner received the
gratuity and arrear Pension on May 13, 2003.

The petitioner is praying that a writ of
mandamus be issued commanding the respondents
to pay interest on the said amount of gratuity and
arrear 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 gratuity and the
arrear amount of 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. 8834 of 2024 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.)