

S/L 34
22.01.2025
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 9731 of 2024

Samsun Nehar

Vs.

The State of West Bengal & Ors.

Ms. Jonaki Saha

...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-respondent.

The husband of the petitioner was an approved Assistant Teacher of a primary school, the said teacher retired from his said service on superannuation on June 30, 2012 and died on December 22, 2013.

The Pension Payment Order of the employee concerned was issued on March 12, 2014 in pursuance whereof the petitioner received the gratuity and arrear pension on September 30, 2016.

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 arrear pension 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.

WPA 9731 of 2024 stands disposed of with the above directions without any 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.)