

25.07.2025
(D/L-73)
Ct.-17
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 12938 of 2025

Amulya Samaddar

-Vs-

The State of West Bengal & Ors.

Mr. Krishna Pada Santra,

.... for the Petitioner.

Mr. Kapil Guha

... for the State.

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

The petitioner was an approved Librarian of a Library under the Department of Mass Education Extension & Library Services. On attaining the age of superannuation he retired from his said service on November 30, 2016.

The first pension payment order of the petitioner was issued on June 23, 2017.

Under the ROPA Rules, 2019, there was revision of the pension, gratuity and commutation of the pensioners/family pensioners vide Memorandum of the Department of Mass Education Extension & Library Services, Government of West Bengal bearing No. 471/MEE/Sectt/Estt/EM/O/Estt/I'O'-15/2020 dated September 16, 2020 and the revised pension payment order of the petitioner under ROPA, 2019 was issued on November 26, 2021 in terms thereof, the petitioner has received the arrear pension and gratuity on November 29, 2021.

The petitioner in the instant writ petition is claiming that he is entitled to interest for the delayed payment of the said gratuity and arrear pension and is praying issuance of writ of mandamus commanding the Director of Pension, Provident Fund

and Group Insurance and the concerned Treasury Officer, the respondents herein, to pay such interest.

Learned advocate for the State-respondents 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 aforementioned respondents are, therefore directed to pay interest on the revised gratuity and revised arrear pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. September 16, 2020 till the date of payment of revised gratuity and revised arrear pension in terms of the said revised Pension payment order.

The payment, as aforesaid, shall be made within a period of twelve weeks from the date of communication of this order, in default, the said arrears amount shall fetch an additional interest of 2% per annum.

W.P.A. 12938 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.)