

S/L 30
26.03.2025
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 15924 of 2024

Golam Mehebab Mallik & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Dilip Kumar Maiti

...for the Petitioner.

Mrs. Ghazala Firdaus

...for the State.

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

The father of the petitioners was an Assistant Teacher of a primary school and retired from his said service on superannuation on June 30, 1994 and died on May 6, 2020. The mother of the petitioners also died on January 3, 2016.

The Pension Payment Order of the employee concerned was issued on April 10, 2000 in pursuance whereof the father of the petitioners received the gratuity and arrear pension on June 15, 2000.

The petitioners are 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.

Learned advocate for the State does not oppose the prayer of the petitioners.

It is now well settled that the petitioners are 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 15924 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.)