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03.01.2025
Ct. No. 18
(ARPAN)

W.P.A. 29213 of 2024

**Rita Barman
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Sarkar
Mr. Partha Sarathi Mishra

...for the Petitioner

Mr. Manas Kundu

...for the State

Affidavit-of-service was filed on previous occasion but no one appeared on behalf of State respondents. Court directed the learned advocate representing the petitioner to serve another notice upon the learned advocate representing the State respondents. Today learned advocate representing the petitioner submits that attempt was made to effect service of notice upon the learned advocate representing State respondents, but he was out of station.

Mr. Manas Kundu, learned advocate is present in court who usually represents State respondents. Office of the learned Government Pleader is requested to regularize engagement of Mr. Manas Kundu. Mr. Kundu is permitted to enter his appearance on behalf of the State respondents.

Husband of the petitioner was an Assistant Teacher who died-in-harness on 12th May, 2023. After death of husband of the petitioner pension payment order was issued on 9th April, 2024 thereby releasing terminal benefits including death gratuity in favour of

the petitioner. Petitioner prays for release of interest due to delayed payment.

Accordingly, the Director of Pension Provident Fund and Group Insurance and the concerned Treasury Officer are directed to release interest at the rate of 8% per annum to the writ petitioner on gratuity from the date following the date of death of husband of the petitioner till the date of release of gratuity, within a period of eight 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.)