

3.

15.01.2025
Ct. No. 18
(ARPAN)

W.P.A. 29321 of 2024

**Mithu Santra Dolai & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Krishna Pada Santra

...for Petitioners

Sk. Md. Masud

...for the State

In terms of the order dated 3rd January, 2025 notice dated 6th January, 2025 was served upon the learned advocate representing the State respondents and the said notice dated 6th January, 2025 is placed before this court and same is taken on record.

Petitioners are the legal heirs of a deceased Group-D staff, who was working in a Government aided school and died-in-harness on 9th September, 2018. After the death of the employee pension payment order was issued on 30th August, 2024 wherefrom it appears that petitioners being legal heirs were paid death gratuity proportionately. Petitioners have approached this court with the present writ petition for payment of interest on death gratuity due to delayed payment.

State respondents are represented by learned advocate.

On perusal of the pension payment order dated 30th August, 2024 it appears that three petitioners being the legal heirs were proportionately paid death gratuity. Maintaining the same proportion as indicated in the pension payment order dated 30th August, 2024

petitioners are entitled to receive interest on death gratuity 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 on death gratuity from the date following the date of death of employee till the date of release of the same in favour of the petitioners following the proportion as indicated in the pension payment order dated 30th August, 2024, within a period of eight (8) 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.)