

06.03.2025
(D/L-118)
Ct.-19
(Susanta
Samar)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 30204 of 2024

Shakuntala Kalandi & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Sreyasree Choudhury,

.... For the Petitioner.

Ms. Kakali Naskar,

.... For the State.

Affidavit-of-service filed on behalf of the petitioner be kept with the record.

The husband of the petitioner no. 1 and the father of the petitioner nos. 2 and 3 was an approved Assistant Teacher of a primary school who died-in-harness on March 30, 2014.

The Pension Payment Order of the employee concerned was issued on May 16, 2023 in pursuance whereof the petitioners received the gratuity and the arrear pension on July 13, 2023.

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-respondents does not oppose the prayer of the petitioner.

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 the arrear amount of pension from the date of death 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.

W.P.A 30204 of 2024 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.)