

18
07.01.2025
Ct. No. 18
adeb

W.P.A. 30545 of 2024

**Jayita Sardar & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sujit Bhunia
Ms. Sanchayita De

...for the petitioners

Ms. Susmita Biswas Chowdhury
...for the State

Affidavit of service filed on behalf of the petitioners
is taken on record.

Petitioners being the legal heirs of deceased teacher
has come up with the present writ petition claiming
interest on delayed payment of gratuity. Husband of
petitioner no. 1 was an assistant teacher, who died in
harness on 27th December, 2022. After death of
husband of petitioner no. 1 Pension Payment Order was
issued on 31st July, 2024 thereby terminal benefits
including death gratuity were disbursed in favour of the
petitioners. It is submitted on behalf of the petitioners
that they are legal heirs and in support of same a legal
heirs certificate dated 18th May, 2023 issued on behalf
of District Magistrate and Collector, Purba Medinipur is
annexed at page 12 of the writ petition which goes to
show that petitioners were declared legal heirs for the

purpose of sanctioning death benefits and family pension.

Placing reliance on legal heirs certificate dated 18th May, 2023 this Court does not find any impediment in releasing interest in favour of the petitioners for delayed payment of gratuity.

State-respondents are represented by learned advocate.

Accordingly, the Director of Pension, Provident Fund and Group Insurance, West Bengal and the concerned Treasury Officer are directed to release interest at the rate of **8%** per annum to the petitioners from the date following the date of death of husband of petitioner no. 1 till the date of release of the same by 8 (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.)