

06.03.2025
(D/L-128)
Ct.-19
(Susanta/
Samar)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 280 of 2025

Mousam Yara Begam & Ors.
-Vs-
The State of West Bengal & Ors.

Ms. Sreyasree Choudhury,
.... For the Petitioner.
Mr. Aditya Dutta,
.... For the State.

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

The husband of the petitioner no. 1 was an
approved Assistant Teacher of a primary school,
who died-in-harness on August 06, 2022.

The Pension Payment Order of the
employee concerned was issued on January 29,
2024 in pursuance whereof the petitioners
received the gratuity and the arrear pension on
February 22, 2024.

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-respondent
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 arrear amount of pension and gratuity 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 280 of 2025 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.)