

06.03.2025
(D/L-126)
Ct.-19
(Susanta
Samar)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 60 of 2025

Menaka Hansda & Ors.

-Vs-

The State of West Bengal & Ors.

Ms. Sreyasree Choudhury,

.... For the Petitioner.

Ms. Sukla Das Chandra,

Mr. Protim Chakraborty,

.... 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 September 28, 2022.

The Pension Payment Order of the employee concerned was issued on October 06, 2023 in pursuance whereof the petitioners received the gratuity and the arrear family pension on November 22, 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 family 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 family 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 60 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.)