

Court No. 2
(1490)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

04.04.2025
(JPD 22)

WPA 63 of 2025

(S. Banerjee)

Pyary Baa
Vs.
The State of West Bengal & Ors.

Mr. Debajit Kundu

... for the petitioner

Ms. Beadshruti Bose
Mr. Anirban Banerjee

... for the State

Let the affidavit of service filed in court today
be kept with the record.

The husband of the petitioner was an
approved Assistant Teacher of a secondary school
who died in harness on 28.03.2009.

The first pension payment order of the
employee concerned was issued on 14.06.2009.

Under the ROPA Rules, 2009, there was
revision of the pension, gratuity and computation of
pension of the employee concerned vide
Memorandum of the Government of West Bengal
bearing no. 73-SE(B)/IM-4/2009 dated May 19,
2009 and the pension payment order of the

employee concerned under ROPA, 2009 was issued on 29.10.2024. In terms of the said pension payment order under ROPA, 2009, the petitioner received the arrear family pension and gratuity on 19.11.2024.

The petitioner in the instant writ petition is claiming that she is entitled to interest for the delayed payment of the said gratuity and arrear pension and is praying for issuance of writ of mandamus commanding the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer, the respondent herein, to pay such interest.

Learned advocate for the State respondents does not oppose the prayer of the petitioner.

It is now well settled that the petitioner is entitled to the interest, as prayed for.

The aforementioned respondents are, therefore, directed to pay interest on the gratuity and revised arrear pension @ 8% per annum from the date of notification of the aforesaid Government order under ROPA 2009 till the date of payment of gratuity and arrear pension in terms of the said Pension Payment Order.

The payment, as aforesaid, shall be made within a period of twelve weeks from the date of communication of this order, in default, the said arrears amount shall fetch an additional interest of 2% per annum.

WPA 63 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.

(Hiranmay Bhattacharyya, J.)