

S/L 34
21.5.2025
Court No.2
SD

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION

WPA 283 of 2025

Mamta Allay
Vs.
The State of West Bengal & Ors.

Mr. Anirban Chakraborty

...for the Petitioner.

Mr. Pretom Das
Mr. Sourav Sarkar

...for the State.

Affidavit of service filed by the learned advocate for the petitioner be kept with the record.

The husband of the petitioner was an Assistant Teacher of a Primary School who has retired from his said service on September 30, 2011 and died on March 30, 2021.

The Pension Payment Order of the employee concerned was issued on November 21, 2013 in pursuance whereof the employee concerned received the gratuity and arrear family pension on January 12, 2014.

In the instant writ petition the prayer of the petitioner is 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 petitioner.

It is now well settled that the petitioner is 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 retirement 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.

WPA 283 of 2025 stands disposed of with the above directions without any 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.)