

S/L 39
19.5.2025
Court No.2
SD

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

WPA 791 of 2025

Maya Sarkar
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 secondary school, the said employee had died-in-harness on February 18, 2014.

The Pension Payment Order of the employee concerned was issued on April 2, 2015 in pursuance whereof the petitioner had received the gratuity and arrear family pension on May 3, 2015.

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 of it.

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 gratuity and arrear family pension 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.

WPA 791 of 2025 stands disposed of with the above directions without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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.)