

S/L 51
19.5.2025
Court No.2
SD

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

WPA 1075 of 2025

Labanya Prova Basak

Vs.

The State of West Bengal & Ors.

Mr. Anirban Chakraborty

...for the Petitioner.

Mr. Hirak Barman

Mr. Kumar Shantanu

...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 school who has retired from his said service on February 28, 2004 and died on July 29, 2019.

The Pension Payment Order of the employee concerned was issued on February 23, 2004 in pursuance whereof the said employee had received the arrear family pension on July 28, 2005.

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 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 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 1075 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.)