

S/L 69
19.05.2025
Court No.2
(Susanta)

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

W.P.A. 1093 of 2025
Himangshu Kumar Roy
-Vs-
The State of West Bengal & Ors.

Mr. Anirban Chakraborty,
.... For the Petitioner.
Mr. Nabankur Paul,
Mr. Sandip Guha Roy,
.... For the State.

Affidavit-of-service filed on behalf of the
petitioner be kept with the record.

The wife of the petitioner was an approved
Assistant Teacher of a Secondary school, the
said employee, on attaining the age of
superannuation had retired from her said
service on March 31, 1997 and had died on
August 25, 2020.

The Pension Payment Order of the employee
concerned was issued on April 03, 2012 in
pursuance whereof she received gratuity and the
arrear pension on May 05, 2012.

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 the arrear
pension for the delayed payment.

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 respondents, the concerned Treasury Officer in particular are, therefore, directed to pay interest @ 8% per annum on the gratuity and 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.

W.P.A 1093 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.)