

S/L 79
19.05.2025
Court No.2
(Susanta)

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

W.P.A. 1105 of 2025

Swapna Chakraborti

-Vs-

The State of West Bengal & Ors.

Mr. Anirban Chakraborty,

.... For the Petitioner.

Mr. Subir Kumar Saha,

Mr. Kumar Shantanu,

.... For the State.

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

The father of the petitioner was an approved
Assistant Teacher of a Secondary School, on
attaining the age of superannuation, the said
employee had retired from his said service on
February 28, 1983 and had died on January 27,
1997. The mother of the petitioner had also died
on December 19, 2000.

The Pension Payment Order of the employee
concerned was issued on February 04, 2015 in
pursuance whereof the petitioner received the
arrear family pension on February 07, 2015.

The petitioner being the unmarried
daughter of the said employee is praying that 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-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 arrear amount of family pension from the date following the date of death of the mother of the petitioner i.e. December 19, 2000 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 1105 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.)