

S/L 43
21.05.2025
Court No.2
(Susanta)

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

W.P.A. 1149 of 2025

Goma Devi Pokhrel & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Anirban Chakraborty,

.... For the Petitioner.

Mr. Subir Kumar Saha,

Mr. Sandip Guha Roy,

.... For the State.

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

The husband of the petitioner No. 1 was an approved Assistant Teacher, who died-in-harness on November 11, 2022.

The Pension Payment Order of the employee concerned was issued on March 22, 2024 in pursuance whereof the petitioners received the gratuity and arrear pension on June 11, 2024.

In the instant writ petition the prayer of the petitioners is a writ of mandamus be issued commanding the respondents to pay interest on the said amount of gratuity and arrear pension for the delayed payment.

Learned advocate for the State-respondents does not oppose the prayer of the petitioners.

It is now well settled that the petitioners are 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 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.

W.P.A 1149 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.)