

30.9..2019

BR
Sl.26

W.P. 18975 (W) of 2019

Maya Adhikari
Vs.
The State of West Bengal & Ors.

Ms. S.Khutia (Bhunya) ... for the Petitioner.

Ms. Aiswarya Jayshree
..for the State.

Let affidavit of service filed in Court today be kept on record.

The learned advocate for the petitioner submits that before attaining the age of superannuation, the petitioner's father died in harness as a Karmee of the Panchayat on 16.12.2013. The Pension Payment Order was issued in favour of the petitioner's husband on 20.05.2015 and the gratuity and arrear pension of the petitioner was released on 17.08.2015.

Although the petitioner was entitled to payment of **gratuity and** arrear pension from the date of retirement of the petitioner, the same was not paid. By presenting this writ petition, the petitioner prays for an order on the respondents to award interest on delayed payment of **gratuity and** arrear pension.

I have heard the learned Advocate for the petitioner and have also considered the orders passed by different Hon'ble Judges on the writ petitions involving similar issues. It is reported that the State has accepted all such orders.

In view thereof, this writ petition stands disposed of

with the direction upon the respondents and particularly the concerned Treasury officer to pay to the petitioner interest on **gratuity and arrear pension** @ 9 % per annum from the next date of death of the petitioner's husband till the date of actual payment within 16 weeks from the date of service of an authenticated copy of this order failing which, additional interest @ 2% per annum shall be payable to the petitioner from the date of communication of this order till the date of actual payment .

There will be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Samapti Chatterjee, J.)

