

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)  
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No –OA 1083 OF 2015

**CHHABI KAR Vs The State of West Bengal & Ors.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p>12</p> <hr/> <p>27.8.2018</p>	<p>For the Applicant : Mr. A.K. Banerjee Advocate</p> <p>For the Respondents: Mr. B.P. Roy Advocate</p> <p>For the A.G., West Bengal : Mr. B. Mitra Departmental Representative</p> <p>At the very outset it is submitted by Mr. A.K. Banerjee, learned advocate for the applicant that though State respondents have disbursed family pension, no interest has been granted. Prayer is for grant of interest on the delayed payment of family pension.</p> <p>In this application, the applicant, - a divorcee and daughter of late Hiralal Kar, an employee of BE College, Kolkata, - has prayed for a direction upon the respondents to disburse family pension along with interest. It is submitted by the applicant that during the pendency of the application, the respondent authorities have disbursed family pension by issuing pension payment order dated 22<sup>nd</sup> November, 2016. Thereafter she has got family pension on 25<sup>th</sup> March, 2017. Submission is such payment has been made without interest.</p>	

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	<p>Mr. B. Mitra, the departmental representative of the Principal Accountant General (A&amp;E), West Bengal, respondent no.5 submits that after pension payment order was issued on 22<sup>nd</sup> November, 2016, according to him, interest on arrear, if at all, accrues not from a specific date.</p> <p>Heard Mr. A.K. Banerjee, learned advocate for the applicant, Mr. B.P. Roy, learned advocate for the State and Mr. B. Mitra.</p> <p>Having heard the learned advocates for the parties and the departmental representative, as the applicant has received the family pension no order be passed so far as the grant of family pension is concerned. So far as the payment of interest is concerned, it is needless to mention that in view of the settled position of law the applicant is entitled to interest @ 8% per annum. Therefore, the applicant is directed to file a representation for grant of interest before the Executive Engineer, P.W.D., Hooghly Electrical Division, Hooghly, the respondent no.6 annexing copies of the pension payment order as well as copies of documents showing the date of actual payments made. If such application is filed, the same shall be disposed of by the Executive Engineer, P.W.D.,</p>	

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SCN.	<p>Hooghly Electrical Division, Hooghly, the respondent no.6 by making detailed calculation with regard to grant of interest within eight weeks and shall forward the same to the Principal Secretary, Public Works Department, Government of West Bengal, Kolkata, the respondent no.2 who shall dispose of the matter regarding grant of interest within eight weeks by passing a reasoned order after giving an opportunity of hearing.</p> <p>The application is disposed of.</p> <p>Urgent Photostat certified copy of this order, if applied for, be furnished to the parties on priority basis.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	