

**ORDER SHEET**  
**West Bengal Administrative Tribunal**

Present.-  
The Hon'ble Justice Ranjit Kumar Bag  
&  
The Hon'ble Dr. Subesh Kumar Das

Case No. **OA-449 of 2019**

Dilip Kumar Chakraborty

Versus

The State of West Bengal & Ors.

Serial No. and  
date of order

Order of the Tribunal  
with signature

Office action with date  
and dated signature of  
parties when necessary.

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05  
04/09/2019

**For the Applicant** : Mrs. S. Agarwal,  
Ld. Advocate.

**For the State Respondent** : N O N E.

**For the A.G., W.B.** : Mr. B. Mitra,  
Depttl. Representative.

Affidavit of Service filed on behalf of the applicant today is kept on record.

The applicant has prayed for direction upon the respondents for payment of interest on delayed payment of retirement benefits after setting aside order dated February 04, 2019 issued by the District Magistrate, Nadia.

The contention of the applicant is that he retired from service on March 31, 2008 from the establishment of the respondent no. 4, Block Development Officer, Kaliganj Development Block. The further contention of the applicant is that he received retirement benefits long after his retirement from service and as such he is entitled to get interest on delayed payment of retirement benefits. The applicant previously approached this Tribunal by filing OA-419 of 2018 praying for interest on delayed payment of retirement benefits. The said original application was disposed of on October 01, 2018 by giving liberty to the applicant to file representation before the District

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	<p>Magistrate, Nadia by ventilating his grievances and with direction to the District Magistrate, Nadia to consider the representation of the applicant in connection with payment of interest on retirement benefits. By order dated February 04, 2019, the respondent no. 2, District Magistrate, Nadia considered the issue of delayed payment of retirement benefits to the applicant, but did not finally decide the issue of payment of interest on the ground that Additional District Magistrate and Additional Executive Officer, Zilla Parishad, Nadia sent a letter to the Special Secretary to the Government of West Bengal, Department of Panchayat &amp; Rural Development on November 19, 2018 seeking clarification on various issues involving payment of interest due to delayed payment of retirement benefits. Admittedly, the final decision has not been taken by the respondent no. 2 in connection with payment of interest on delayed payment of retirement benefits to the applicant.</p> <p>Having heard Learned Counsel for the applicant and the Departmental Representative of the respondent A.G., W.B., we are of the view that the Departmental Secretary should take a decision on the issue of payment of interest @ 8% per annum to the applicant due to delayed payment of retirement</p>	

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Csm	<p>benefits. We had taken this view as necessary particulars have not been disclosed by the applicant in the present application and final decision of payment of interest has not yet been taken inspite of retirement of the applicant in the year 2008.</p> <p>In view of our above observation, we direct the respondent no. 1, Principal Secretary to the Government of West Bengal, Department of Panchayat &amp; Rural Development to take a decision about payment of interest @ 8% per annum on the delayed payment of Gratuity, Leave Encashment and commuted value of pension for the period for which the said interest needs to be paid to the applicant by passing a reasoned order within a period of 12 (twelve) weeks from the date of communication of this order and take necessary follow up action if any, within a period of 08 (eight) weeks thereafter. With the above direction, the original application stands <b>disposed of</b>.</p> <p>Let a <b>Plain Copy</b> of the order be supplied to both parties.</p> <p style="text-align: center;"><b>S. K. DAS</b> <b>MEMBER(A)</b></p> <p style="text-align: center;"><b>R. K. BAG</b> <b>MEMBER(J)</b></p>	