

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 1173 OF 2016

SALIL BHATTACHARJEE 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 style="text-align: center;">9</p> <hr/> <p>11.01.2019</p>	<p>For the Applicant : Mrs. S. Dey (Basu), Advocate</p> <p>For the State Respondent : Mr. R.A. Chowdhury, Advocate</p> <p>For the Respondent No.3 : Mr. A. Dutta, Mr. A. De, Advocate</p> <p>For the Principal Accountant : Mr. B. Mitra General(A&E), West Bengal Departmental Representative</p> <p style="text-align: center;">In this application, the applicant, - a Group 'D' employee under the control of the Nezarath Section, who had superannuated on 31st October, 2013, – has prayed for a direction upon the respondents to release interest at the rate of 12% per annum on the delayed payment of gratuity, leave salary, arrear pension, commuted value of pension and also to issue necessary direction for stepping up of pay.</p> <p style="text-align: center;">At the very outset it is submitted by Mrs. S. Dey (Basu), learned advocate for the applicant on instruction that since step up of pay has already been allowed as also evident from the reply filed by the Principal Accountant</p>	

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	<p>General (A&E), West Bengal, she is not pressing for the said prayer. So far as the prayer for grant of interest on the delayed payment of gratuity, leave salary, arrear pension and commuted value of pension, referring to paragraphs 3 and 4 of the supplementary affidavit filed by the applicant, it is submitted that since admittedly such payments were made belatedly, interest as prayed for, may be granted.</p> <p>Mr. R.A. Chowdhury, learned advocate appearing on behalf of the State respondent submits that though Pension Payment Order was issued in the year 2013, the delay in paying the superannuation benefits to the applicant was caused due to administrative reasons.</p> <p>Mr. B. Mitra, Departmental Representative appearing on behalf of the Principal Accountant General (A&E), West Bengal, respondent no.2 adopts the submission made by Mr. Chowdhury.</p> <p>Having heard Mrs. Dey (Basu), Mr. Chowdhury and Mr. Mitra and considering the facts and circumstances of the case, in view of the statements made in paragraph 3 and 4 of the supplementary affidavit showing the dates of accrual of the superannuation benefits and the actual dates of payments, this application is disposed of by directing the District Magistrate and Collector, Howrah, the</p>	

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SCN.	<p>respondent no.4 to grant interest at the rate of 8% per annum on the delayed payment of gratuity, leave salary, arrear pension and commuted value of pension to be calculated from the date of accrual till the month of the previous month in which it was paid within ten weeks from the date of communication of this order.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	