

13-11-2025
Item No.144 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.3932 of 2024
Swapan Kumar Modak

-vs-

The State of West Bengal & Ors.

Mr. Sandipan Pal
Mr. Niladdri Mondal
Mr. Sk. Abul Hasan ...for the petitioner

1. The petitioner's prayer for grant of interest on account of delayed payment of the special leave on full pay which was sanctioned by the Deputy Director of School Education has not been considered till date.
2. The petitioner submits that the payment of special leave was disbursed only after an order was passed by the Court on July 1, 2019 in an earlier writ petition filed by him being WP No.18236(W) of 2018.
3. It has been submitted that a representation seeking disbursement of the interest is pending consideration at the end of the Director of Pension, Provident Fund & Group Insurance, West Bengal.
4. None represents the respondents. Affidavit of service is on record.
5. As it appears that the petitioner was paid the due amount but at a belated date, accordingly, he would be entitled to interest on account of such delayed payment.
6. Accordingly, the writ petition is disposed of by

directing the third respondent – Director of Pension, Provident Fund & Group Insurance, Government of West Bengal – to take a decision on the representation of the petitioner for grant of interest on account of delayed payment of special medical leave to the petitioner at the earliest but positively within a period of twelve weeks from the date of communication of this order.

7. An opportunity of hearing shall be provided to the petitioner for production of all documents in support of his claim.
8. If the prayer of the petitioner is allowed, then necessary consequential steps shall be taken by the authority immediately thereafter.
9. The petitioner shall forward a copy of his representation seeking interest along with all supporting documents to the aforesaid respondent at the time of communicating this order.
10. The school authority and the concerned District Inspector of Schools are directed to render all cooperation to the aforesaid respondent at the time of consideration of the petitioner's prayer.
11. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
12. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

