

26.03.2025
(D/L-167)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 4222 of 2025
Chowdhury Abdus Saleque
-Vs-
The State of West Bengal & Ors.

Mr. Sasthi Charan Dhara ,
.... For the Petitioner.
Mr. Arunava Maiti,
.... For the State.

Affidavit-of-service filed on behalf of the
petitioner be kept with the record.

The petitioner was an Assistant Teacher of
a primary school and retired from his said
service on superannuation on February 29,
2016.

The Pension Payment Order of the petitioner
was issued on January 20, 2016.

Under the ROPA Rules, 2019, there was
revision of the pension, gratuity and computation of
pension of the pensioners vide Memorandum of the
Government of West Bengal bearing No.
53/ES/P/P&B/10M-99/2019 dated February 14,
2020 and the revised pension payment order of the
petitioner under ROPA, 2019 was issued on
September 07, 2021 in terms thereof, the petitioner
received the arrear pension and gratuity on
September 08, 2021.

The petitioner in the instant writ petition is
claiming that he is entitled to interest for the delayed

payment of the said gratuity and arrear pension and is praying issuance of writ of mandamus commanding the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer, the respondents herein, to pay such interest.

The learned advocate for the State-respondents does not oppose the prayer of the petitioner.

It is now well settled that the petitioner is entitled to the interest, as prayed for.

The aforementioned respondents are, therefore directed to pay interest on the revised gratuity @ 8% per annum from the date of notification of the aforesaid Government order i.e. February 14, 2020 till the date of payment of revised gratuity and revised arrear pension in terms of the said revised Pension payment order.

The payment, as aforesaid, shall be made within a period of twelve weeks from the date of communication of this order, in default, the said arrears amount shall fetch an additional interest of 2% per annum.

W.P.A 4222 of 2025 stands disposed of with the above directions. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)