

26.03.2025
Item No.176, DL
Court No.19
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 4380 of 2025

**Aruna Chel (Kar)
-Vs-
The State of West Bengal & Ors.**

Ms. Sanchayita De.
.....for the petitioner.

Affidavit-of-service filed by the learned advocate for the petitioner be kept with the record.

None appears on behalf of the State respondents in spite of service.

The husband of the petitioner was an approved Head Teacher of a primary school, on attaining the age of superannuation, he retired from his said service on October 31, 2009 and died on May 08, 2024.

The first pension payment order of the employee concerned was issued on October 20, 2009.

Under the ROPA Rules, 2009, there was revision of the pension, gratuity and computation of pension of the pensioners vide Memorandum of the Government of West Bengal bearing No. 73-SE(B)/IM-4/2009 dated May 19, 2009 and the revised pension payment order of the employee concerned under ROPA, 2009 was issued on December 20, 2012 and in terms thereof, the petitioner received the gratuity and the arrear pension on March 06, 2013.

The petitioner in the instant writ petition is claiming that she 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.

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 and arrear pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. May 19, 2009 till the date of payment of revised arrear pension and gratuity 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. 4380 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.)