

S/L 41
25.07.2025
Court No.17
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 8882 of 2025

Swapna Bhattacharya

Vs.

The State of West Bengal & Ors.

Ms. Ria Bhunya

...for the Petitioner.

Mr. Pradyot Kumar Das

...for the State.

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

The husband of the petitioner was a Librarian of the Library under the Department of Mass Education Extension & Library Services, who died-in-harness on December 10, 2017.

The first pension payment order of the employee concerned was issued on July 13, 2018.

Under the ROPA Rules, 2019, there was revision of the pension, gratuity and commutation of the pensioners/family pensioners vide Memorandum of the Department of Mass Education Extension & Library Services, Government of West Bengal bearing No. 471/MEE/Sectt/Estt/EM/O/Estt/I'O'-15/2020 dated September 16, 2020 and the revised pension payment order of the employee concerned under ROPA, 2019 was issued on March 03, 2022 in terms thereof, the petitioner has received the arrear family pension and gratuity on April 01, 2022.

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 family 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.

Learned advocate for the State 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 and revised arrear family pension @ 8% per annum from the date of notification of the aforesaid Government order i.e. September 16, 2020 till the date of payment of revised gratuity and revised arrear family 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.

WPA 8882 of 2025 is disposed of without any order as to costs.

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

(Biswajit Basu, J.)