

25.07.2025
Item No.51, DL
Ct.17
A.J.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 8906 of 2025

Samir Samanta

-Vs-

The State of West Bengal & Ors.

Ms. Arpita Saha.

... for the Petitioner.

Mr. Jahar Datta,

Mr. Bipin Ghosh.

... for the State.

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

The petitioner was an approved Librarian of a
Library under the Department of Mass Education
Extension & Library Services, on attaining the age
of superannuation, he had retired from his said
service on January 31, 2018.

The first pension payment order of the
petitioner was issued on September 18, 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 petitioner under ROPA, 2019
was issued on May 05, 2022 in terms thereof, the
petitioner has received the arrear pension and
gratuity on May 20, 2022.

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.

Learned Advocate for the State respondent 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 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 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. 8906 of 2025 stands disposed of with the above terms. 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.)