15.07.2025.
PB
Sl. No.84.
Ct. No.551.

WPA 13361 of 2022

Paresh Chandra Bar
Vs.
The State of West Bengal & Ors.

Mrs. Sabita Khutia (Bhunya),
Mr. K. P. Santra.
... For the Petitioner.

Mr. Pradyot Kr. Das.
... For the State.

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

The petitioner was an approved Assistant Teacher of a secondary school who retired from his service on superannuation on January 31, 2010.

It is the petitioner's case that the Pension Payment Order of the petitioner was issued on 14.07.2011 and that in terms thereof, he received gratuity and arrears of pension on September 24, 2011.

The petitioner has therefore prayed for interest on the belatedly paid arrears of pension and gratuity.

Learned advocate for the respondent State authorities hands up to the court a copy of the instructions forwarded to him by the District Inspector of Schools (S.E.), Paschim Medinipur, which reveals that upon verification of the petitioner’s pension file, an objection was raised by the pension sanctioning authority communicated to the school by a letter dated May 5, 2009. It is further revealed from the said report that the requirements in terms of objection so raised and communicated by the pension sanctioning authority were met by the school on June 20, 2010, and the pension file was thereafter vetted by the Deputy Director of Accounts Paschim Medinipur on September 20, 2010. The vetted file was then sent to the Director of Provident Fund and Group Insurance, Kolkata under the cover of a letter dated September 24, 2010. The Pension Payment Order was issued in favour of the petitioner only thereafter on June 21, 2011. A copy of the instruction is taken on record.

The petitioner claims to have received pension only on September 24, 2011. It is evident that the petitioner retired as an Assistant Teacher on January 31, 2010, and the petitioner remained deprived of his pension and other benefits for long.

It is now well settled that pension and retiral benefits are not in the nature of bounty but substantial legal entitlement of a retired employee and therefore delay in payment thereof must be compensated by payment of interest.

In such view of the matter, the respondents, (particularly the concerned Treasury Officer) are, directed to pay interest @ 8% per annum on the arrears of pension and gratuity to the petitioner from the date of retirement of the petitioner till the date of actual payment thereof to the petitioner.

Payment as aforesaid shall be made within a period of eight weeks from the date of communication of this order, in default whereof, the additional interest at the rate of 2% per annum shall be payable on the said arrears of pension and gratuity from the date of default till the date of actual payment thereof.

WPA 13361 of 2022 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.

(Om Narayan Rai, J.)