

10.12.2025

**DL-12
Ct. No. 03
Srimanta**

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/17815/2025

Bitola Hela

-Vs.-

State of West Bengal & Ors.

Mr. Masud Karim,
Mr. Satyam Pandey,
Mr. Syed Intioz Hossain

...for the petitioner.

Mr. Subhendu Bandyopadhyay

...for the State.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka

...for the Howrah Municipal Corporation.

1. The reports filed by the Municipality as also by the State are taken on record.

2. Today, Mr. Banerjee, Learned Advocate appearing for the Municipality has placed before this Court a report in terms of the order dated 24th November, 2024 and would submit that in furtherance to the hearing that took place which was necessitated by reasons of failure on the part of the petitioner to submit a life certificate, steps have been taken to process the arrear pension for the period from December, 2023 to September, 2024. According to such report a sum of Rs.1,54,184/- stands due and payable which shall likely be disbursed in December,

2025 itself. I, however, notice that in the instant case the petitioner has been disbursed his regular pensionary benefits post October, 2024, and has received up to date pension. Having regard thereto, I am of the view once, the respondents started making payment of pension after October, 2024 the respondents could not have held back the pension for the prior period on the ground of non-filing of the life certificate.

3. The entire approach on the part of the Municipality to hold back pension for a prior period while at the same time making payment of pension for the subsequent period appears to be entirely mechanical.

4. Be that as it may, since better sense has prevailed and the Municipality has already decided to make payment of the arrear pension, I am of the view no fruitful purpose will be served by retaining the matter on the file. The matter is disposed of with the direction upon the respondents to disburse the entire amount of arrear pension due to the petitioner. The payment must be made within one week from date. In default, the respondents shall pay interest at the rate of 6 per cent per annum from the date when the same was due till such time the payment is actually disbursed.

5. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J.)