

08.12.2025
Sl. No.22
Ct. No.14
gd

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

WPA/18448/2025
HASINA BANU
VS
STATE OF WEST BENGAL AND ORS.

Ms. Debjani Sahu

...for the Petitioner.

Mr. Swapan Kumar Chatterjee

...for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks direction upon the respondent authorities to disburse the interest amount towards delayed payment of gratuity and arrear pension.
3. The petitioner contends that the husband of the petitioner was an Assistant Teacher of 42 Mohammadpur Primary School, Mohammadpur, District-Murshidabad. The petitioner's husband died in harness on 22nd December, 2017. The petitioner duly filled up pension booklet and submitted the same before the appropriate authority. The Pension Payment Order was issued on 7th February, 2020. On 20th February, 2020 the gratuity amount and arrear pension amount were disbursed in favour of the petitioner. However, no

interest on delayed payment has been paid. Hence this writ petition.

4. Ms. Debjani Sahu, learned Advocate for the petitioner submits that interest on delayed payment of gratuity and arrear pension be allowed in favour of the petitioner.
5. Mr. Swapan Kumar Chatterjee, learned advocate appearing for the State leaves the matter to the discretion of the Court.
6. It is found that the petitioner's husband died on 22nd December, 2017. The Pension Payment Order for arrear pension and gratuity has been issued on 7th February, 2020. As per contention of the petitioner, the arrear amount has been disbursed on 20th February, 2020. Hence, there is delay in payment of the aforesaid amount. It is bounden duty of the State to disburse the pension and other retiral benefits within a specified period failing which the petitioner will be entitled to interest on delayed payment.
7. In view of the above, the respondent No.2, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and the respondent No.3, the Treasury Officer, Berhampore-I are directed to disburse the interest at the rate of 8% per annum on the gratuity and arrear family pension from the date following the date of death of the employee concerned till the date of payment of the arrear pension and gratuity. The payment shall be made within a period of

eight weeks from the date of communication of this order.

8. Learned advocate for the petitioner is directed to communicate this order to respondent no.2, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no.3, the Treasury Officer, Berhampore-I, for necessary compliance.
9. With the above direction, the writ petition being **WPA 18448 of 2025** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
15. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)