

08.12.2025
Sl. No.20
Ct. No.14
gd

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

WPA/18444/2025
MINA MANDAL
VS
STATE OF WEST BENGAL AND ORS.

Ms. Debjani Sahu

...for the Petitioner.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for disbursement of 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 Halsanapara Primary School, Chowrigachha, District-Murshidabad. The petitioner's husband died in harness on 2nd October, 2022. The petitioner duly filled up pension booklet and submitted the same before the appropriate authority. The Pension Payment Order was issued on 20th March, 2024 and the gratuity amount and arrear pension amount were disbursed in favour of the petitioner on 4th April, 2024. However, no interest on delayed payment has been made. Hence this writ petition.
4. Ms. Debjani Sahu, learned Advocate for the petitioner submits that the authority concerned ought to have

paid interest on delayed payment of gratuity and arrear pension in favour of the petitioner. She seeks for appropriate orders.

5. None appears on behalf of the State.
6. Mr. Avijit Sarkar, learned advocate, who usually appears for the State, is requested to appear in this matter. Let his appointment be regularised.
7. The petitioner is directed to hand over a copy of the writ petition along with the annexures to Mr. Avijit Sarkar, learned advocate for the State.
8. Mr. Sarkar, learned advocate for the State leaves the matter to the discretion of the Court.
9. It is found from the contention in the writ petition that there is delay in making payment of gratuity and arrear family pension. It is bounden duty of the State to disburse the amount forthwith, failing which the petitioner is entitled to interest on delayed payment.
10. 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 of death of the employee concerned till the date of such payment. The payment shall be made within a period of eight weeks from the date of communication of this order.

11. 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 the respondent No.3, the Treasury Officer, Berhampore-I, for necessary compliance.
12. With the above direction, the writ petition being **WPA 18444 of 2025** stands disposed of.
13. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
14. Interim order, if any, stands vacated.
15. All connected applications, if any, stand disposed of.
16. There shall be no order as to costs.
17. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
18. 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.)