

10.12.2025
Sl. No.23(DL)
Ct. No.14
srm

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

W.P.A. No. 18944 of 2025

Shamima Begum

Versus

The State of West Bengal & Ors.

Mr. Banshi Badan Maity

...for the Petitioner.

Ms. Sanchayita De

...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 for direction upon the respondent authorities for disbursement of interest on delayed payment of gratuity amount from the date following the date of retirement of her husband till the date of actual payment.
3. The petitioner contends that her husband was an approved non-teaching staff (group-D) of Model Girls High Madrasah, P.O. Dholahat, District-South 24-Parganas. The petitioner's husband retired from service on superannuation on 31st December, 2011 and expired on 8th March, 2014. The gratuity amount was disbursed to the petitioner's husband on 11th March, 2013. However, the interest on delayed payment of gratuity has not been made. Hence, this writ petition.
4. Mr. Banshi Badan Maity, learned Advocate for the petitioner seeks for direction upon the respondent Nos.2

and 3 for disbursement of interest on delayed payment of gratuity amount from the date following the date of retirement of her husband till the date of actual payment.

5. Despite service, none appears on behalf of the State-respondents.
6. Ms. Sanchayita De, learned Advocate, who usually appears on behalf of the State-respondents is requested to appear in this matter. The appearance of Ms. De be regularised by the concerned authority.
7. Let a copy of the writ petition along with its annexure be served upon Ms. De, learned Advocate for the State respondents.
8. Ms. De, learned Advocate for the State leaves the matter to the discretion of the Court.
9. From the contention made in the writ petition, it is found that petitioner's husband received the gratuity after 14 months of his retirement. As such, there is delay in disbursement of the gratuity amount. It is the bounden duty of the State to pay pension and retiral dues to the employee forthwith, failing which the employee is entitled to get interest on such delayed payment.
10. In view of the above, respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Diamond Harbour, are directed to disburse interest @ 8% per annum on the gratuity in favour of the petitioner from

the date following the date of retirement of her husband till the date of actual payment within a period of eight weeks from date of communication of this order.

11. Learned advocate for the petitioner is directed to communicate this order to respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Diamond Harbour, for necessary compliance.
12. With the above direction, the writ petition being **WPA 18944 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.)