

06.11.2025
Item No. 10
Ct. No. 07
AN

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

**WPA 19038 of 2025
Sindhu Bala Maity
vs.
State of West Bengal & ors.**

Mr. Sourav Mitra
Ms. Sreeyasree Choudhury
... for the petitioner

Mr. Arun Kumar Saha
... 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 respondent no. 4, the Treasury Officer, Contai, Purba Medinipur to disburse the interest amount towards the pensionary benefits including the arrear family pension till the date of actual disbursement of the amount together with interest at the rate of 18% per annum.
3. The petitioner contends that her husband viz. Anadi Kumar Maity was an Assistant Teacher in Fulboni Special Primary School under Contai East Circle in the District of Purba Medinipur. The petitioner's husband died-in-harness on 7th December, 1963. The petitioner is the widow of the deceased employee. The pension payment order was issued on 9th April, 2025. The

petitioner approached the concerned authority for payment of interest on the delayed payment of pension. Since no steps were taken by the authority concerned, the petitioner is constrained to file the present writ for appropriate relief.

4. Mr. Sourav Mitra, learned advocate appearing for the petitioner submits that as per the notification dated 15th June, 1990 followed by the notification dated 1st November, 2010, the petitioner is entitled to interest on the arrear family pension. He seeks for appropriate direction upon respondent no. 4, the Treasury Officer, Contai, Purba Medinipur to take appropriate steps for disbursement of the interest amount towards the pensionary benefits including the arrear family pension.
5. None appears for the State.
6. Mr. Arun Kumar Saha, learned advocate who usually represents the State is requested to appear in this matter on behalf of the State. Let the appointment of Mr. Saha be regularised by the concerned authority.
7. Learned advocate for the petitioner is directed to handover a copy of the writ petition alongwith all annexures to Mr. Arun Kumar Saha, learned advocate representing the State.
8. Mr. Saha, learned advocate representing the State does not raise any objection and leaves the matter to the discretion of this Court.

9. It is settled proposition of law that in the event of delay in releasing of the pensionary benefits to a retired employee or to a legal heir of a deceased employee, certain amount of interest should be paid to compensate the delay in releasing the pensionary benefits. If there is delay, interest at a reasonable rate is payable by way of compensation. This is not punitive but purely compensatory.
10. In the present case, the petitioner could not apprise regarding the date of application for family pension.
11. In view of the above, respondent no. 2, the Director of Pension, Provident Fund & Group Insurance, Government of West Bengal and respondent no. 4, the Treasury Officer, Contai, Purba Medinipur are directed to pay to the petitioner the interest @ 8% per annum on the amounts released in favour of the petitioner by way of pensionary benefits on and from 15th June, 1990 till the date of issuance of the pension payment order.
12. Learned advocate for the petitioner is directed to communicate this order to respondent no. 2, the Director of Pension, Provident Fund & Group Insurance, Government of West Bengal and also respondent no. 4, the Treasury Officer, Bishnupur for necessary compliance.
13. With the above directions, the writ petition being no. **WPA 19038 of 2025** stands disposed of.

14. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
15. Consequently, connected applications, if any, also stand disposed of.
16. Interim orders, if any, stand vacated.
17. There will be no order as to costs.
18. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Bivas Pattanayak, J.)