

16.12.2025
Sl. No.20
Ct. No.14
gd

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

WPA/19370/2025
MALATI MAHATO
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Debasis De
Ms. Sanchayita De

...for the Petitioner.

Ms. Neelam Singh

...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 interest on delayed payment of gratuity and arrear pension from the date of effect of ROPA 2019 till the date of actual payment of the gratuity and arrear pension.
3. The petitioner contends that her husband, namely, late Bhagyadhar Mahato was a Primary Teacher of Tungadhuya Primary School under Sankrail Circle, District-Jhargram. The petitioner's husband retired from service on superannuation on 28th February, 2016. The husband of the petitioner died on 17th June 2017. The Pension Payment Order was issued on 9th February, 2016 and revised Pension Payment Order was issued on 11th July, 2022. The gratuity and arrear

pension has been released in favour of the petitioner on 13th July, 2022. However, no interest has been paid on delayed payment. Hence, this writ petition.

4. Mr. Debasis De, learned Advocate appearing for the petitioner seeks for interest on delayed payment of gratuity and arrear pension from the date of effect of ROPA 2019 i.e. 14th February, 2020 till the date of actual payment of the gratuity and arrear pension.
5. Ms. Neelam Singh, learned Advocate appearing for the State leaves the matter to the discretion of this Court.
6. It is contended that the gratuity and arrear pension was released in favour of the petitioner on 13th July, 2022 in respect of ROPA 2019. As such, there is a delay of payment of the gratuity and arrear pension. It is the bounden duty of the State to release pensionary benefits on the due date. If it has failed to do so, it is obliged to pay interest on such amount.
7. In view of the aforesaid, the respondent No.2, Director of Pension, Provident Fund and Group Insurance and respondent No.4, Treasury Officer, Jhargram are directed to pay the interest @ 8% per annum on the amount of pensionary benefits and arrear pension in favour of the petitioner on and from 14th February, 2020 till the date of actual payment, as expeditiously as possible.
8. Petitioner is directed to communicate this order to the respondent No.2, Director of Pension, Provident Fund

and Group Insurance and respondent No.4, Treasury Officer, Jhargram for necessary action.

9. With the above direction, the writ petition being **WPA 19370 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.)