

10.12.2025
Sl. No.30
Ct. No.14
ss

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

W.P.A. No. 19487 of 2025

**Shyamali Kisku & ors.
Versus
The State of West Bengal & Ors.**

Ms. Debjani Sahu

...for the Petitioners.

Mr. Hemanta Kumar Das

...for the State.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. By the present writ petition, the petitioners seek for direction upon the respondent authorities for disbursement of interest towards delayed payment of gratuity and arrear pension amount from the date following the date of death of the deceased employee till the date of actual payment.
3. The petitioners contend that the employee was an Assistant Teacher in Kanksa Rahimia High Madrasah, P.O. Gudhia, District Murshidabad. The petitioner no.1 is the wife, petitioner nos.2 and 3 are the sons and petitioner no.4 is the mother of the deceased employee. The deceased employee died in harness on 25th November, 2022. The Pension Payment Order was issued on 6th March, 2024 and disbursement of gratuity and arrear pension amount was made on 22nd

April, 2024. The petitioners due to such delayed payment seek interest on the disbursed amount.

4. Ms. Debjani Sahu, learned Advocate for the petitioners seek direction upon the respondent nos.2 and 3, the Director of Pension, Provident Fund and Group Insurance and the Treasury Officer, Berhampore-I, respectively, for disbursement of the interest on the delayed payment of gratuity and arrear pension amount.
5. Learned Advocate for the State leaves the matter to the discretion of this Court.
6. It is not in dispute that there is delay in disbursement of payment of gratuity and arrear pension amount in favour of the petitioners. 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, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Berhampore-I, Murshidabad are directed to pay the interest @ 8% per annum in favour of the petitioners on the delayed payment of gratuity and arrear pension amount from the date following date of death of the deceased employee till the actual payment of gratuity and arrear pension, as expeditiously as possible, preferably within a period of eight weeks from the date of communication of this order.

8. Petitioners are directed to communicate this order to the respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Berhampore-I, Murshidabad, for necessary action.
9. With the above direction, the writ petition being **WPA 19487 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.)