

09.12.2025
Sl. No. 05 (DL)
Ct. No.14
AN

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

W.P.A. No. 19490 of 2025

Sikha Hazra Mondal & ors.

Versus

The State of West Bengal & Ors.

Ms. Debjani Sahu

...for the Petitioner.

Mr. Murari Chakraborty

...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 disbursement of interest on delayed payment of gratuity amount and arrear pension amount from the date following the date of death of the deceased employee till the date of actual payment of the gratuity and arrear family pension with interest.
3. The petitioners contend that the deceased employee viz. late Sukhen Hazra being the husband of the petitioner no. 1 and the father of petitioner nos. 2 and 3 was appointed as a Lower Division Clerk in the District Primary School Council, Murshidabad. The said Sukhen Hazra died-in-harness on 22nd February, 2021. The pension payment order was issued on 19th January, 2023. After much persuasion, the gratuity and arrear family pension was disbursed in favour of

the petitioners to the extent of 1/3 share each on 13th March, 2023. However, no interest on delayed payment of gratuity and arrear of family pension was granted to the petitioners. Hence this writ petition.

4. Ms. Debjani Sahu, learned Advocate for the petitioner seeks for appropriate direction upon concerned authority to disburse the amount towards interest on delayed payment of gratuity and arrear pension.
5. Mr. Murari Chakraborty, learned advocate representing the State leaves the matter to the discretion of the Court.
6. From the contention in the writ petition, it is found that there is delay in payment of gratuity and arrear pension. It is the bounden duty of the State of release the pension and retiral benefits forthwith, failing which the employee is entitled to interest on the delayed payment.
7. In view of the above, respondent no. 2, the Director of Pension, Provident Fund and Group Insurance and respondent no. 3, the Treasury Officer, Kandi, Murshidabad are directed to disburse the interest on the gratuity and arrear family pension at the rate of 8% per annum from the date following the date of death of the deceased employee till the date of actual payment of the gratuity and arrear family pension. The payment, as aforesaid, shall be made within a period of eight weeks from the date of communication of this order.

8. 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, Kandi, Murshidabad, for necessary compliance.
9. With the above direction, the writ petition being **WPA 19490 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.)