

09.12.2025
Sl. No. 06 (DL)
Ct. No.14
AN

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

W.P.A. No. 20082 of 2025

Mina Begum

Versus

The State of West Bengal & Ors.

Mr. Arun Khutia

...for the Petitioner.

Mr. Gautam Basu

...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 and arrear family pension as per Pension Payment Order dated 19th April, 2022 from the date of effect of ROPA 2019 i.e. 14th February, 2020 till the date of actual payment.
3. The petitioner contends that her son was an Assistant Teacher of Asalpur Primary School, P.O. Sahiserpur, Dist. Murshidabad. The son of the petitioner died-in-harness on 19th December, 2016. The pension payment order was issued in favour of the petitioner. The gratuity amount and arrear pension amount was disbursed to the petitioner on 17th September, 2018 as per ROPA 2009. Thereafter, revised pension payment order was issued under ROPA 2019 on 19th

April, 2022 and the revised gratuity and revised pension has already been disbursed to the petitioner on 21st April, 2022, however, no interest on delayed payment has been made. Hence this writ petition.

4. Mr. Arun Khutia, learned Advocate for the petitioner submits that the authority concerned ought to have granted the interest on the delayed payment of revised gratuity and revised arrear of family pension. He seeks for appropriate direction.
5. Mr. Gautam Basu, learned advocate representing the State leaves the matter to the discretion of the Court.
6. The revision of pension and gratuity under ROPA 2019 has been made in terms of the Memorandum of the Government of West Bengal bearing No. 53/ES/P/P&B/10M-99/2019 dated 14th February, 2020.
7. In view of the contentions made in the writ petition and from the documents annexed, it is found that there is delay in making payment of the revised gratuity and arrear pension. The interest has not been paid on delayed payment of the revised gratuity and revised arrear of family 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.
8. 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, P.O. &

P.S. Kandi, Dist. Murshidabad are directed to disburse the interest on the revised gratuity and revised arrear family pension at the rate of 8% per annum from the date of notification of the Government Order dated 14th February, 2020 till the date of actual payment of revised gratuity and revised arrear of pension. The payment, as aforesaid, shall be made within a period of eight weeks from the date of communication of this order.

9. 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, P.O. & P.S. Kandi, Dist. Murshidabad, for necessary compliance.
10. With the above direction, the writ petition being **WPA 20082 of 2025** stands disposed of.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
15. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

16. 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.)