

09.12.2025
Sl. No. 08 (DL)
Ct. No.14
AN

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

W.P.A. No. 20516 of 2025

Md. Ismail

Versus

The State of West Bengal & Ors.

Ms. Debjani Sahu

...for the Petitioner.

Mr. Himangshu Ghosh

...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 pension amount as per Pension Payment Order dated 18th December, 2023 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 petitioner contends that the wife of the petitioner was appointed as a Mother Teacher in 40, Rameswarpur Purbapara Junior Basic School, P.O. Rameswarpur, Dist. Murshidabad. The petitioner's wife died-in-harness on 29th October, 2021. The pension payment order was issued on 18th December, 2023 and the gratuity and arrear pension amount was disbursed to the petitioner on 9th January, 2024.

However, no interest on delayed payment was made.

Hence this writ petition.

4. Ms. Debjani Sahu, learned Advocate for the petitioner seeks for necessary direction upon authority concerned for disbursement of interest on the delayed payment of gratuity and arrear pension amount from the date following the date of death of the deceased employee till the actual payment of the gratuity and arrear pension.
5. Mr. Himangshu Ghosh, learned advocate representing the State leaves the matter to the discretion of the Court.
6. From the contentions made in the writ petition, it is found that there is delay in making payment of the revised gratuity and arrear family pension amount. 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, Government of West Bengal and respondent no. 3, the Treasury Officer, Berhampore-I, P.O. & P.S. Berhampore, Dist. Murshidabad are directed to disburse the interest on the gratuity and arrear family pension amount 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, Government of West Bengal and respondent no. 3, the Treasury Officer, Berhampore-I, P.O. & P.S. Berhampore, Dist. Murshidabad, for necessary compliance.
9. With the above direction, the writ petition being **WPA 20516 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.)