

02.12.2025
Item 37 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.24642 of 2025
Madhabi Basu
-versus
The State of West Bengal & Ors.

Ms. Sudipa Banerjee

...for the petitioner

1. Affidavit-of-service filed in Court today is taken on record.

2. The husband of the petitioner was an approved assistant Teacher of a high school. He retired from service on July 31, 2011 and died on February 25, 2013. The Pension Payment Order was issued in favour of the employee on June 1, 2015.

3. The petitioner prays for interest on account of the delayed payment of the terminal benefits.

4. In the present case it is noticed that the petitioner has approached this Court long after the Pension Payment Order was issued and payment made in accordance with the same.

5. The Hon'ble Supreme Court in Union of India -vs- Tarsem Singh reported in (2008) 8 SCC 648 clearly laid down that in so far as consequential relief of recovery of arrear for the past period is concerned, relief shall be restricted only to a period of three years prior to the filing of the writ petition or from the date of demand made by the petitioner.

6. In the instant case the petitioner did not raise any demand before the respondents praying for

release of interest on account of delay in making payment. The petitioner directly approached this Court praying for interest, that too, long after the PPO was issued.

7. In view of the above, the Court is not inclined to exercise jurisdiction in the matter and grant any relief in favour of the petitioner.

8. The writ petition is dismissed.

9. Certified copy of this order be supplied to the parties, if applied for, as early as possible.

[Amrita Sinha, J]