

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

26 16.12.2025
Sc Ct. no.14

WPA 27115 OF 2025

Milani Das

Vs.

The State of West Bengal & Ors.

Mr. Sourav Mitra
Mr. Goutam Malik
Ms. Sreyasree Choudhury.

.... For the Petitioner

Mr. Kartik Chandra Kapas

.... For the Respondents
State

1. Affidavit-of-service, filed in Court today, is taken on record.
2. By the present writ petition the petitioner seeks direction upon the respondent authorities for disbursement of interest on arrear family pension amount from the date of entitlement till the date of actual payment together with interest.
3. The petitioner contends that her father was an approved Assistant Teacher of Lalpur Maktab Primary School, Purba Medinipur and retired from service on superannuation on 31st January, 1981. The petitioner's father expired on 29th May, 1988. The mother of the petitioner expired on 6th January, 2015. The petitioner is an unmarried daughter of the deceased teacher, Mahesh Das. The petitioner being an unmarried daughter claimed family pension in terms of the Government

Circular dated 13th April, 2010. The Pension Payment Order was issued in favour of the petitioner on 29th May, 2025. The arrear family pension has already been disbursed in favour of the petitioner on 16th June, 2025. However, no interest has been paid on such delayed payment of arrear family pension, hence this writ petition.

4. Mr. Sourav Mitra, learned Advocate for the petitioner submits that the petitioner being an unmarried daughter is entitled to receive the interest on arrear family pension amount from the date following the date of death of the father of the petitioner.

5. Despite service, none appears on behalf of the State.

6. Mr. Kartik Chandra Kapas, learned Advocate who usually appears for the State is requested to appear in the matter. Let appointment of Mr. Kartik Chandra Kapas, learned Advocate be regularized by the concerned authority.

7. Learned Advocate for the petitioner is directed to serve a copy of the writ petition along with its annexures upon Mr. Kartik Chandra Kapas, learned Advocate for the State.

8. Learned Advocate for the State leaves the matter to the discretion of the Court.

9. From the contention in the writ petition, it appears that there is delay in disbursement of the arrear family

pension. It is the bounden duty of the State to disburse the pension and retiral benefits of the employee forthwith failing which, the employee is entitled to interest on the delayed payment of the same.

10. In view of the contention raised before this Court, respondent no. 2, Director of Pension Provident Fund and Group Insurance and respondent no.3, Treasury Officer, Egra, Purba Medinipur are directed to disburse interest on the arrear family pension @8% per annum in favour of the petitioner from the date following the dater of her mother i.e. 7th January, 2015 till the actual payment of the arrear amount.

11. Learned Advocate for the petitioner is directed to communicate this order to respondent no. 2, Director of Pension Provident Fund and Group Insurance and respondent no.3, Treasury Officer, Egra, Purba Medinipur, for necessary compliance.

12. With the above direction, the writ petition, **WPA 27115 of 2025** stands disposed of.

13. There will be no order as to costs.

14. Since no affidavit has been called for, the allegations made in this writ petition are deemed to be not admitted.

15. The parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Bivas Pattanayak, J.)