

18.12.2025
Sl. No.1(DL)
Ct. No.14
srm

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

W.P.A. No. 28712 of 2023

Md. Eyasin

Versus

The State of West Bengal & Ors.

Mr. Bidhan Biswas

...for the Petitioner.

Ms. Muhuya Dutta Biswas,
Mr. Sujit Gupta

...for the State.

1. This matter is appearing in the list under the heading “*To Be Mentioned*”.
2. Mr. Bidhan Biswas, learned Advocate for the petitioner submits that the arrear claim of the petitioner amounting to Rs.3,96,463/- has been disbursed and received by the petitioner. However, the claim is pending with the authority since 11th May, 2022 and has been received only on 16th December, 2023. He seeks for interest on delayed payment of the said amount. In support of his contention he relies on a decision of the co-ordinate Bench of this Court in *Goutam Roy versus The State of West Bengal & Ors. (In Re: WPA 5893 of 2023)*.
3. Ms. Mohuya Dutta Biswas, learned Advocate for the State also informs the Court that the amount has already been disbursed in favour of the petitioner.

However, she submits that the interest has not been paid.

4. There cannot be any dispute that the arrear salary has been disbursed after a lapse of long period and has been received only on 16th December, 2025, as has been informed by the learned Advocate for the petitioner. It is the bounden duty of the State to disburse the claims of the employee within a reasonable time. Failure entitles the employee to get interest on the claimed amount.
5. In view of the above, respondent No.2, Director of Madrasah Education, Government of West Bengal is directed to disburse interest @ 8% per annum on Rs.3,96,463/- in favour of the petitioner from the date the claim was raised, i.e. from 11th May, 2022 till the date of actual payment, i.e. 16th December, 2025. The payment shall be made within a period of eight weeks from date of communication of this order.
6. Learned advocate for the petitioner is directed to communicate this order to respondent No.2, Director of Madrasah Education, Government of West Bengal, for necessary compliance.
7. With the above direction, the writ petition being **WPA 28712 of 2023** stands disposed of.
8. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
9. Interim order, if any, stands vacated.

10. All connected applications, if any, stand disposed of.
11. There shall be no order as to costs.
12. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
13. 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.)