

**Item no. 39  
14.08.2025  
Ct. 02  
sayandeep**

**Calcutta High Court  
In the Circuit Bench at Jalpaiguri  
Constitutional Writ Jurisdiction  
Appellate Side**

**W.P.A 1694 of 2025**

**Amitava Roy  
versus  
The State of West Bengal & Ors.**

**Mr. Sanjay Mazumder  
Ms. Sukanya Adhikary  
Ms. Silpi Basu  
...for the Petitioner.**

**Mr. Momenur Rahaman  
Mr. Kumar Shantanu  
....for the State**

1. The instant writ petition has been filed, inter alia, in effect praying for disbursal of interest on the ground of delayed payment of gratuity and arrear pension. It is the petitioner's case that the petitioner was appointed as Assistant Teacher in Tarabari High School which is a government aided school. After successfully completing his service career of 27 years, the petitioner retired from active service on 31<sup>st</sup> December, 2023. According to the petitioner, the PPO was issued on 16<sup>th</sup> December, 2024. He was disbursed pensionary benefits along with arrear pension and gratuity on the basis of the aforesaid PPO.

2. Having heard the learned advocates appearing for the respective parties and noting the right of an employee to receive retiral benefits immediately upon his retirement, I am of the view that the respondents should be directed to make payment of interest on account of delayed payment of gratuity and pensionary benefits by calculating the same at the rate of 7% from the date of the petitioner's retirement when the same became payable till the same was actually disbursed. The aforesaid payment should be made within a period of 4 weeks from the date of communication of this order. In default, the petitioner shall be entitled to interest at the rate of 10% on the entire amount from the date when the same was payable as noted above till the time the same was actually disbursed.
3. With the above observations and directions, the writ petition is disposed of.
4. There shall be no order as to costs.
5. Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**(Raja Basu Chowdhruy, J.)**