Form No.J(2)

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION

Present: The Hon'ble Justice Aniruddha Roy

WPA 1881 OF 2025

Harendra Nath Barman
Vs.
The State of West Bengal & Ors.

For the Petitioner	:	Ms. Arpita Saha, Adv.
For the State	:	Mr. Sumit Kumar, Adv. Mr. Sourav Sarkar, Adv.
Heard on	:	08.09.2025
Judgment on	:	08.09.2025

Aniruddha Roy, J.

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

Mr. Sumit Kumar and Mr. Sourav Sarkar, learned Advocates appear for the State.

The petitioner was an approved **Assistant Teacher of a Primary School.** The petitioner retired from his employment on **31.01.2017.**

The **Pension Payment Order** was issued by the concerned respondent on **25.01.2017** and **ROPA** part was issued on **09.12.2021.**

Under **ROPA Rules, 2019,** there was a revision of Pension, Gratuity and computation of Pension of the pensioners under the ***Government Notification /Memorandum bearing No.53/ES/P/P&B/10M-99/2019 dated February 14, 2020*** and the revised ***Pension Payment Order*** of the petitioner under ***ROPA, 2019*** was issued on ***09.12.2021.***

The petitioner now claims interest for the delayed payment of the said revised gratuity and arrear pension ***on and from February 14, 2020.***

It is trite that, the pension, which is lawfully payable to an employee is its property and if there is any delay in making such payment and the disbursement thereof in favour of such employee, such an employee is eligible and entitle to receive interest.

In view of the above, the respondents and or the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer are directed to pay interest on the ***revised gratuity*** and ***revised arrear pension @ 8% per annum*** on and from ***February 14, 2020*** till the date of actual payment being received by the petitioner in terms of the ***revised Pension Payment Order***.

The entire exercise as directed above, shall be carried out and completed positively by the respondents and or the ***Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer*** within a period of ***eight weeks*** from the date of communication of this order. ***In default,*** the said arrear amounts and the entitlement of the petitioner shall carry an ***additional interest of 2% per annum*** till the date the petitioner actually receives the same.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

On the above terms, this writ petition being ***WPA 1881 of 2025*** stands disposed of, without any order as to costs.

Photostat certified of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)

D. Das, P.A.