

Form No.J(2)

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION

Present: The Hon'ble Justice Aniruddha Roy

WPA 1920 OF 2025

Dipankar Chakraborty
Vs.

The State of West Bengal & Ors.

For the Petitioner : Mr. Anirban Chakraborty, Adv.

For the State : Mr. Subir Kumar Saha, Ld. AGP
Mr. Sourav Sarkar, Adv.

Heard on : 10.09.2025

Judgment on : 10.09.2025

Aniruddha Roy, J.

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

The petitioner was an approved **Assistant Teacher** of a **Secondary School**. The petitioner had retired from his employment on **31.01.2009**.

The **Pension Payment Order** was issued by the concerned respondent on **04.02.2009** and ROPA part was issued on **07.04.2010**.

Under ROPA Rules, 2009 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-99/2009 dated 01.05.2009 and the revised pension payment order of the petitioner under ROPA, 2009 was issued on 07.04.2010 at Page 11 to the writ petition.

The petitioner now claims interest for the delayed payment of the said gratuity and arrear pension ***on and from May 1, 2009.***

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

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 ***gratuity*** and ***arrear pension @ 8% per annum*** on and from date of retirement 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 1920 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.