

20th Feb., 2026
Item no.M/L 496
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 1084 of 2024**

In the matter of :

Madhabi Shit

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Mr. Uttam Kumar De

....Advocate

For the State:

Mr. Keshab Chandra Das

....Advocate

1. Affidavit of service filed in Court today is taken on record.
2. The husband of the petitioner was a School Teacher. He died in harness on 05.03.2017. The first Pension Payment Order was issued on 20.07.2017 and the arrear pension was disbursed on 02.08.2017. Under the ROPA Rules, 2019 there was revision of the pension and gratuity amount payable to the petitioner. The revised Pension Payment Order was issued on 09.06.2021 and the arrear revised pension was disbursed on 15.06.2021. The petitioner claims interest on delayed payment of the revised gratuity and revised arrear pension.
3. I have heard learned counsel for the parties and considered the orders passed by this Court in similar facts. It is settled law that the right of a retired employee to get his retiral dues as and when the same becomes due and payable. If payment of the retiral dues is delayed the retired employee is surely entitled to get some interest for such delayed payment.

4. In the present case, it was the bounden duty of the State to disburse the revised gratuity and revised arrear pension amount on the due date. If it has failed to do so and has released such amount after unexplained delay, it is obliged to pay interest to the retired employee.
5. In view of the aforesaid, I direct the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal as also the concerned Treasury Officer to pay interest to the writ petitioner at the rate of 5% per annum on the revised gratuity and revised arrear pension calculated on and from the date of retirement till date of actual payment.
6. Such payment is to be made within eight weeks from the date of communication of the certified copy of this order to the concerned authorities.
7. Since no affidavit in opposition has been invited, the allegations contained in the writ petition are deemed not be admitted.
8. The writ petition stands disposed of.
9. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)