

25 **11.02.
2026**

Ct. No. 24

Ab

WPA 8671 of 2024

**Subrata Maji
Vs.**

The State of West Bengal and others.

**Mr. Sakti Pada Jana,
Mrs. Sudipta Pramanik.**

... for the petitioner.

**Mr. Sugata Shankar Roy,
Mr. Mostafijur Rahman.**

... for the State.

1. The petitioner is before this Court, aggrieved by the fact that he ought to have received interest as the pension was paid to him in November 2022, while he had retired from service on March 31, 2022.
2. As it appears from the DCRB Scheme that the retiring teacher is meant to submit his credentials at least one year in advance of the expected date of retirement.
3. The petitioner had admittedly not submitted such credentials within the afore-stated time. The credentials were submitted in March 2022 and were duly forwarded to the Principal of the college on March 22, 2022. Certain discrepancies were found and objection was raised by the Disbursing Authority on account whereof an undertaking was executed by the petitioner on July 9, 2022, which was forwarded on July 12, 2022 by the Principal. It was only thereafter that the Pension Payment Order was issued on November 9, 2022.

4. Thus, the respondent authorities cannot be foisted with any deliberate delay in releasing the pension of the petitioner.
5. As it is now an accepted proposition, interest is in the nature of a penalty. A penal measure can only be imposed, if there is a default by the party, who is supposed to make payment.
6. In this case, I do not find that there has been any default on the part of the respondent authorities in releasing the pension in favour of the petitioner. Added to this, is the fact that the petitioner himself had not put in the requisite credentials within the time specified and had himself delayed in submitting such papers.
7. In view of the afore-stated, the writ petition is dismissed.
8. There shall, however, be no order as to costs.
9. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Reetobroto Kumar Mitra, J.)

