07.10.2026
Sl. No.22
Ct. No.14
gd

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA/10949/2026
Abdus Samad
VS
The State of West Bengal and Ors.

Mr. Krishna Pada Santra
...for the Petitioner.

Mr. Proloy Bhattacharjee
Ms. Mary Datta
...for the State.

1. Affidavit of service filed by the petitioner is taken on record.

2. By the present writ petition the petitioner seeks direction upon the respondent authorities to disburse interest on delayed payment of revised gratuity and arrear pension from the date of effect of ROPA 2019 till the date of actual payment @ 18% per annum.

3. The petitioner contends that he was an Assistant Teacher of B.G.H.K.N. High Madrasah, Village-Harirampur, Post Office-Magura, Police Station-Pukhuria, District-Malda who retired from service on superannuation on 31st May, 2016. The first Pension Payment Order was issued in favour of the petitioner on 16th May, 2016. The revised Pension Payment Order as per ROPA 2019 was issued on 18th January, 2021. The revised gratuity amount and arrear pension was paid to the petitioner on 22nd January, 2021. However, no interest has been paid on the delayed payment of

revised gratuity and arrear pension. Hence this writ petition.

4. Mr. Krishna Pada Santra, learned advocate appearing for the petitioner submits that the petitioner is entitled to interest on revised gratuity and arrear pension under ROPA, 2019 with effect from 14th February, 2020 till the date of actual payment. He seeks for appropriate orders.

5. None appears on behalf of the State.

6. Mr. Proloy Bhattacharjee, learned advocate, who usually appears on behalf of the State, is requested to appear in this matter along with junior of his choice. Let the appearance of Mr. Bhattacharjee along with junior be regularised by the competent authority.

7. Learned advocate for the petitioner is directed to hand over a copy of the writ petition along with its annexures to the learned advocate for the State.

8. Mr. Bhattacharjee, learned advocate for the State leaves the matter to the discretion of this Court.

9. From the contentions made in the writ petition, it is found that the petitioner is entitled to revised gratuity and arrear pension under ROPA, 2019 with effect from 14th February, 2020. The revised gratuity and arrear pension amount was disbursed to the petitioner belatedly. In view of the above, the petitioner is entitled to receive interest on revised gratuity and arrear pension from date of effect of ROPA, 2019.

10. Accordingly, respondent no.2, Director of Pension, Provident Fund and Group Insurance, Government of

West Bengal and respondent no.3, Treasury Officer, Malda-I, are directed to disburse the interest at the rate of interest @ 8% per annum on the revised gratuity and arrear pension in favour of the petitioner by way of pensionary benefits under ROPA, 2019 with effect from 14th February, 2020 till the date of actual payment. Such payment is to be made within a period of eight weeks from the date of communication of this order.

11. Learned advocate for the petitioner is directed to communicate this order to respondent no.2, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no.3, Treasury Officer, Malda-I, for necessary action.
12. With the aforesaid directions, the writ petition being **WPA 10949 of 2026** is disposed of.
13. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
14. Interim order, if any, stands vacated.
15. All connected applications, if any, stand disposed of.
16. There shall be no order as to costs.
17. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
18. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)