17.11.2026
Sl. No.25(DL)
Ct. No.14
srm

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 17502 of 2026

Mina Hansda & Anr.
Versus
The State of West Bengal & Ors.

Mr. Krishna Pada Santra
...for the Petitioners

Ms. Mary Datta,
Mr. Sourav Sengupta
...for the State.

1. Affidavits-of-service filed on behalf of the petitioners are taken on record.

2. By the present writ petition the petitioners seek direction upon the respondent authorities for disbursement of interest on delayed payment of gratuity and arrear pension amount from the date following the date of death of the concerned employee till the date of actual payment at the rate of 18% per annum.

3. The petitioners contend that the deceased employee is the husband of the petitioner No.1 and father of the petitioner No.2. The concerned employee was an Assistant Teacher of Subdi Mangeswari Primary School, P.O. Subdi, District-Purba Medinipur, who died-in-harness on 17th January, 2025. The pension payment order was issued in favour of the petitioners on 8th June, 2026. The gratuity and arrear pension was disbursed in favour of the petitioners on 17th June, 2026. However, no interest on the aforesaid amount has been paid in favour of the petitioners. Hence this writ petition.

4. Mr. Krishna Pada Santra, learned Advocate for the petitioners submits that there is a delay in disbursement of the gratuity and arrear pension amount and as such the petitioners are entitled to receive interest on the delayed payment of gratuity and arrear pension amount. He seeks for appropriate orders.

5. Despite service, none appears on behalf of the State.

6. Ms. Mary Datta, learned Advocate, who usually appears for the State, is requested to appear in this matter with a junior of her choice. Let their appointment be regularised by the competent authority.

7. The learned Advocate for the petitioner is directed to handover a copy of the writ petition along with its annexures to Ms. Datta, learned Advocate for the State.

8. Ms. Datta, learned Advocate for the State leaves the matter to the discretion of the Court.

9. From the aforesaid contentions made in the writ petition, it is found that there is considerable delay in disbursement of the gratuity and arrear pension amount. It is the bounden duty of the State to disburse all the pensionary benefits to the employee forthwith, failing which the employee is entitled to interest on the aforesaid amount.

10. Accordingly, respondent No.2, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent No.3, the Treasury Officer, Tamluk, Purba Medinipur are directed to

disburse the interest at the rate of @ 8% per annum on the gratuity and arrear of pension amount in favour of the petitioners by way of pensionary benefits from the date following the date of death of the concerned employee till the date of actual payment, to the extent of their entitlement and shares. 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 petitioners is directed to communicate this order to respondent No.2, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent No.3, the Treasury Officer, Tamluk, Purba Medinipur, for necessary compliance.
12. With the aforesaid directions, the writ petition being **WPA 17502 of 2026** is disposed of.
13. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
14. Consequently, connected applications, if any, stand disposed of.
15. Interim orders, if any, stand vacated.
16. There shall be no order as to costs.
17. 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.)