06.10.2026
Sl. No.35
Ct. No.14
gd

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 17525 of 2026

Nejamul Haque Sarkar

Versus

The State of West Bengal & Ors.

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

Mr. Biswanath Banerjee
...for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Report filed by the State furnished by District Inspector of Schools (Primary Education), Dakshin Dinajpur dated 22nd July, 2026 is taken on record.
3. By the present writ petition, the petitioner seeks for direction upon the respondent authorities for disbursement of interest on delayed payment of gratuity and arrear pension from the date following the date of retirement till the date of actual payment @ 18% per annum.
4. The petitioner contends that he was an Assistant Teacher of Kalna Bholanathpur F. P. School, Village and Post Office-Bholanathpur, Police Station-Kumarganj, District-Dakshin Dinajpur who retired from service on superannuation on 31st January, 2025. The Pension

Payment Order was issued on 21st May, 2026. The gratuity and arrear pension was disbursed on 2nd June, 2026. However, no interest has been paid to the petitioner. Hence, this writ petition.

5. Mr. Krishna Pada Santra, learned advocate for the petitioner submits that there is delay in making payment of gratuity and arrear pension. The petitioner is entitled to get interest on the said amount from the date following the date of his retirement till the date of actual payment.

6. Mr. Biswanath Banerjee, learned advocate for the State concedes that the petitioner is entitled to get interest on the said amount from the date following the date of his retirement till the date of actual payment.

7. From the contention made in the writ petition, it is found that the petitioner received the gratuity and arrear pension after a considerable delay. It is the bounden duty of the State to pay pension and retiral dues to the employee forthwith, failing which the employee is entitled to get interest on such delayed payment.

8. In view of the above, respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Balurghat-I are directed to disburse interest @ 8% per annum on the gratuity and arrear pension in favour of the petitioner from the date following the date of his retirement till the

date of actual payment within a period of eight weeks from date of communication of this order.

8. Learned advocate for the petitioner is directed to communicate this order to respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Balurghat-I, for necessary compliance.

9. With the above direction, the writ petition being **WPA 17525 of 2026** stands disposed of.

10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

11. Interim order, if any, stands vacated.

12. All connected applications, if any, stand disposed of.

13. There shall be no order as to costs.

14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

15. 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.)