

24.02.2026
sayandeep
Sl. No. 39
Ct. No. 03

WPA 17438 of 2025

Usha Mallick
Vs.
The Burdwan Municipality & ors.

Mr. Partha Sarkar
Mr. Abhijit Basu
Ms. Megha Sarkar

..... for the petitioner

Mr. Subhasis Bandopadhyay
.... For the municipality

1. The present writ petition has been filed being aggrieved by the inaction on the part of the respondents in not releasing the retiral dues as were payable to the deceased husband of the petitioner. The petitioner's husband was an employee of the municipality and had joined the service in the year 1985. He retired from service on 26th July, 2021 and on the same date he died.
2. Although the respondents have issued a pension payment order on 21st February, 2025 and determined the gratuity to the extent of Rs. 7,30,000/- and family pension as noted therein apart from making payment of regular pension, the arrear pension and the gratuity had not been disbursed. By an order dated 24th September, 2025, this Court had permitted the respondents to file a report. Pursuant to the aforesaid, the municipality has filed a report. From the aforesaid

report, it transpires that out of the gratuity already determined, the sum of Rs. 80,000/- has been paid leaving an outstanding amount of Rs. 6,50,000/-. Insofar as the arrear pension is concerned, the outstanding amount has been calculated to be Rs. 8,62,124/- by the municipality. The learned advocate for the petitioner does not dispute the aforesaid computation.

3. Having heard the learned advocates for the parties and taking into account that the municipality has already admitted the aforesaid amount, I am of the view, the municipality should forthwith make payment of the gratuity along with outstanding arrear pension to the petitioner. Insofar as the gratuity is concerned, the respondents shall make payment of the outstanding amount along with interest on the balance outstanding amount at the statutory rate of 10% from the date when the same became due, that is, immediately on the retirement till such time, the same is actually paid. The above payment shall be made within a period of 6 weeks from date. Insofar as the arrear pension is concerned, the same shall however carry an interest at the rate of 6% per annum on the outstanding sum and the same shall also be payable within a period directed hereinabove.
4. Although, the learned advocate for the respondent municipality prays for leave to make payment of the aforesaid sum in installment, I am of the view that in a

matter relating to payment of retirement dues, this Court cannot at the cost of the petitioner allow payment by installments.

5. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)