

06.01.2026
Sl. No.40(DL)
Ct. No.14
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**W.P.A. No. 17804 of 2025
Malay Sarkar
Versus
The State of West Bengal & Ors.**

Ms. Sudipa Banerjee,
Ms. Jonaki Saha

...for the Petitioner.

Mrs. Susmita Biswas Chowdhury

...for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks direction upon the respondent authorities to disburse the interest amount on revised gratuity as well as arrear pension under ROPA, 2019 from the date such amount is due and payable till the date of actual payment @ 18% per annum.
3. The petitioner contends that he was an approved Principal-in-Charge of Sikshacharcha Government Sponsored Primary Teachers Training Institution, District-Birbhum and retired from service on superannuation on 28th February, 2018. The first Pension Payment Order was issued as per ROPA, 2009 on 5th February, 2018 and revised Pension Payment Order was issued as per ROPA, 2019 on 30th March, 2021. The petitioner has received revised gratuity and arrear pension as per ROPA, 2019 on 8th

October, 2021. However, no interest on delayed payment has been made. Hence, this writ petition.

4. Ms. Sudipa Banerjee, learned Advocate for the petitioner submits that the petitioner is entitled to get interest on delayed payment of revised gratuity and arrear pension from the date of effect of ROPA, 2019 i.e. 14th February, 2020.
5. Despite service, none appears on behalf of the State.
6. Mrs. Susmita Biswas Chowdhury, learned Advocate, who usually appears on behalf of the State-respondents is requested to appear in this matter. The appearance of Mrs. Chowdhury be regularised by the concerned authority.
7. Let a copy of the writ petition along with its annexure be served upon Mrs. Chowdhury, learned Advocate for the State respondents.
8. Mrs. Chowdhury, learned Advocate for the State leaves the matter to the discretion of the Court.
9. From the contention made in the writ petition, it is found that the petitioner received the revised gratuity and arrear pension after three years of his retirement. 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.
10. In view of the above, respondent No.2, Director of Pension, Provident Fund and Group Insurance and respondent No.3, Treasury Officer, Birbhum are

directed to disburse the interest @ 8% per annum on the revised gratuity and arrear pension from the date of effect of ROPA, 2019 i.e. 14th February, 2020 till the date of actual payment in favour of the petitioner within a period of eight weeks from 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 and respondent No.3, Treasury Officer, Birbhum, for necessary compliance.
12. With the above direction, the writ petition being **WPA 17804 of 2025** stands 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.)