

06.01.2026
Sl. No.31
Ct. No.14
gd

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

WPA/17779/2025
SANKAR KUMAR GHOSH
VS
THE STATE OF WEST BENGAL AND ORS.

Ms. Arpita Saha

...for the Petitioner.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition the petitioner seeks for direction upon the respondent authorities to grant interest for delayed payment of gratuity and arrear pension from the date of effect of ROPA 2019 till the date of actual payment.
3. The petitioner contends that he joined as an Assistant Teacher in Primary School and he retired from service on superannuation on 31st December, 2016 as Head Teacher of Dharmutola Nitaitola Primary School, Post Office – Banikanta Tola, Police Station – Ratua, District - Malda. The first Pension Payment Order was issued in favour of the petitioner on 20th December, 2016. The revised Pension Payment Order as per ROPA 2019 was issued on 10th August, 2021. The remaining gratuity amount and arrear pension was disbursed in favour of the petitioner on 12th

August, 2021. However, no interest has been paid on the delayed payment. Hence this writ petition.

4. Ms. Arpita Saha, learned advocate for the petitioner submits that the petitioner is entitled to receive interest on delayed payment of gratuity and arrear pension from the date of coming into effect of ROPA 2019 till the date of actual payment.
5. None appears on behalf of the State.
6. Ms. Sanchayita De, learned advocate, who usually appears for the State, is requested to appear in this matter. Let her appointment be regularised by the authority.
7. The petitioner is directed to hand over a copy of the writ petition along with the annexures to Ms. Sanchayita De, learned advocate for the State.
8. Ms. De, learned advocate for the State leaves the matter to the discretion of the Court.
9. It is found from the records as well as the contention in the writ petition that employee retired on 31st December, 2016 and the remaining gratuity amount and arrear pension under ROPA 2019 has been disbursed on 12th August, 2021. It is bounden duty of the State to disburse the retiral benefits to the employee at the earliest, failing which the employee is entitled to receive interest on delayed payment of gratuity and arrear pension.

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 pay the interest @ 8% per annum on the revised gratuity and arrear pension amount in favour of the petitioner from the date of effect of ROPA 2019 i.e. 14th February, 2020 till the date of actual payment.
11. Such payment is to be made within a period of eight weeks from the date of communication of this order.
12. Learned advocate for the petitioner is directed to communicate this order to the 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.
13. With the aforesaid directions, the writ petition being **WPA 17779 of 2025** is disposed of.
14. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
15. Interim order, if any, stands vacated.
16. All connected applications, if any, stand disposed of.
17. There shall be no order as to costs.
18. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

19. 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.)