

02.02.2026
Sl. No.13(DL)
Ct. No.14
srm

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

W.P.A. No. 18018 of 2025

Najimon Bibi

Versus

The State of West Bengal & Ors.

Mr. Banshi Badan Maity

...for the Petitioner.

Ms. 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 on delayed payment of revised gratuity and arrear pension from the date following the date of death of her husband till the date of actual payment @ 18% per annum.
3. The petitioner contends that her husband, late Narul Haque Jamadar was an approved Assistant Teacher Kasthamahal F.P. School, P.O. Kasthamahal, District-South 24-Parganas. The petitioner's husband died-in-harness on 29th October, 1998. The first Pension Payment Order was issued in favour of the petitioner on 13th March, 2002. The revised Pension Payment Order under ROPA, 1998 was issued on 21st June, 2005. The revised gratuity and arrear pension as per

ROPA, 1998 was released on 17th August, 2005. However, no interest has been paid. Hence, this writ petition.

4. Mr. Banshi Badan Maity, learned Advocate for the petitioner submits that though arrears has been paid on 17th August,, 2005, but no such interest on delay payment was made. The petitioner is entitled to retiral benefits from the date following the date of death of her husband. he seeks for appropriate orders.
5. Despite service, none appears on behalf of the State.
6. Ms. Susmita Biswas Chowdhury, learned Advocate, who usually appears on behalf of the State-respondents is requested to appear in this matter. The appearance of Mr. Susmita Biswas Chowdhury be regularised by the concerned authority.
7. Let a copy of the writ petition along with its annexure be served upon Ms. Biswas Chowdhury, learned Advocate for the State respondents.
8. Ms. Susmita Biswas 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 revised gratuity and arrear pension after seven years of the death of her husband. 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, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Alipore-I are directed to disburse interest @ 8% per annum on revised gratuity and arrear pension in favour of the petitioner from the date following the date of death of petitioner's husband i.e. 30th October, 1998 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, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Alipore-I, for necessary compliance.
12. With the above direction, the writ petition being **WPA 18018 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.)