

02.02.2026
Sl. No.24
Ct. No.14
gd

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

WPA/18154/2025
SATHI SUR
VS
STATE OF WEST BENGAL AND ORS.

Mr. Krishna Keshab Paul

...for the Petitioner.

Mr. Jahar Datta

...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 for disbursement of disburse the interest on gratuity and arrear pension in favour of the petitioner at the rate of 18% per annum from the date following the date of death of the petitioner's husband till the date of actual payment.
3. The petitioner contends that the petitioner's husband was a Head Teacher of Banki F.P. School, Post Office-Chak Bamon Geriya, District-Purba Bardhaman. The petitioner's husband died in harness on 9th March, 2020. The Pension Payment Order was issued on 2nd March, 2021. The gratuity and arrear of pension was disbursed in favour of the petitioner on 15th March,

2021. However, no interest was paid on such delayed payment. Hence this writ petition.

4. Mr. Krishna Keshab Paul, learned advocate for the petitioner submits that the petitioner being the widow of the deceased is entitled to receive interest on delayed payment of gratuity and arrear of pension.
5. None appears on behalf of the State.
6. Mr. Jahar Datta, learned advocate, who usually appears for the State, is requested to appear in this matter. Let his appointment be regularised.
7. The petitioner is directed to hand over a copy of the writ petition along with the annexures to Mr. Jahar Datta, learned advocate for the State.
8. Mr. Datta, learned advocate for the State leaves the matter to the discretion of the Court.
9. It is found that there is delay in payment of gratuity and arrear of pension.
10. Accordingly, respondent no.2, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no.4-Treasury Officer, Kalna are directed to pay the interest at the rate of interest @ 8% per annum on gratuity and arrear pension in favour of the petitioner on and from the date following the date of death of petitioner's husband i.e. 10th March, 2020 till the date of issuance of the Pension Payment Order. Such payment is to be made within a period of eight weeks from the date of communication of this order.

11. 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.4, Treasury Officer, Kalna for necessary action.
12. With the aforesaid directions, the writ petition being **WPA 18154 of 2025** is 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.)