

02.02.2026
Sl. No. 28
Ct. No. 14
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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA/18165/2025
MADHUMITA MONDAL & ANR.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Krishna Pada Santra
Ms. Ria Bhunya

...for the Petitioner

Mr. Chandan Chakraborty

...for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition the petitioners seek direction upon the respondent authorities for disbursement of the interest on delayed payment of gratuity and arrear family pension from the date following the date of death of the deceased employee till the date of actual payment at the rate of 18% per annum.
3. The petitioners contend that the husband of the petitioner no. 1 and the father of the other petitioner was appointed an Assistant Teacher in Amarpur Primary School, P.O. S. S. Patna, District Paschim Medinipur. The deceased employee died-in-harness on 1st November, 2023 as the Head Teacher of the said school. The pension payment order was issued in favour of the deceased employee on 21st January,

2025. The gratuity and arrear family pension was disbursed on 20th February, 2025 and 8th April, 2025. However, no interest on the aforesaid amount has been paid in favour of the petitioners. Hence this writ petition.

4. Mr. Krishna Pada Santra, learned advocate for the petitioners submits that the petitioners are entitled to get interest on gratuity and arrear pension from the date following the date of death of the deceased employee till the date of actual payment. Though arrear was paid, no interest on such arrear has been paid to the petitioners. He seeks for appropriate orders.
5. Mr. Chandan Chakraborty, learned advocate representing the State leaves the matter to the discretion of the Court.
6. From the contentions made in the writ petition, it is found that the pension payment order was issued on 21st January, 2025 and the petitioners have been paid the gratuity and arrear of pension on 20th February, 2025 and 8th April, 2025. Thus, there is delay in disbursement of the said gratuity and arrear of pension. It is the bounden duty of the State to disburse all the pensionary benefits to the employee forthwith, failing which the employee is entitled to interest.
7. Accordingly, respondent no. 2, the Director of Pension, Provident Fund and Group Insurance,

Government of West Bengal and respondent no. 3, the Treasury Officer, Kharagpur are directed to disburse the interest at the rate of @ 8% per annum on the gratuity and arrear of family pension in favour of the petitioner by way of pensionary benefits from the date following the date of death of the deceased employee till the date of actual payment. Such payment is to be made within a period of eight weeks from the date of communication of this order.

8. Learned advocate appearing for the petitioner is directed to communicate this order to respondent no. 2, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no. 3, the Treasury Officer, Kharagpur for necessary compliance.
9. With the aforesaid directions, the writ petition being **WPA 18165 of 2025** is disposed of.
10. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
11. Consequently, connected applications, if any, stand disposed of.
12. Interim orders, if any, stand vacated.
13. There shall be no order as to costs.
14. 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.)