

09.02.2026
Sl. No.34
Ct. No.14
gd

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

WPA/18454/2025
PRASANTA HALDER
VS
STATE OF WEST BENGAL AND ORS.

Ms. Debjani Sahu

...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 direction upon the respondent authorities for disbursement of interest on gratuity and arrear pension in favour of the petitioner from the date following the date of retirement till the date of actual payment at the rate of 18% per annum.
3. The petitioner contends that the petitioner was appointed as an Assistant Teacher in 67 Puthia Primary School, P.O.-Khamra, District-Murshidabad. The petitioner retired from service on superannuation on 31st January, 2021. The Pension Payment Order was issued on 10th March, 2022. The gratuity and arrear pension was disbursed in favour of the petitioner on 17th March, 2022. However, no interest was paid on such delayed payment. Hence this writ petition.

4. Ms. Debjani Sahu, learned advocate for the petitioner submits that the petitioner is entitled to receive interest on delayed payment of gratuity and arrear of pension.
5. None appears on behalf of the State.
6. Ms. Mohuya Dutta Biswas, learned advocate, who usually appears for the State, is requested to appear in this matter. Let her appointment be regularised by the competent authority.
7. The petitioner is directed to hand over a copy of the writ petition along with the annexures to Ms. Mohuya Dutta Biswas, learned advocate for the State.
8. Ms. Dutta Biswas, 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 there is delay in payment of the gratuity and arrear of pension. It is the bounden duty of the State to disburse the retiral benefits to the employee forthwith failing which the employee is entitled to receive interest on delayed payment.
10. Accordingly, respondent no.2, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no.3-Treasury Officer, Jangipur are directed to pay the interest at the rate of interest @ 8% per annum on gratuity and arrear pension in favour of the petitioner from the date following the date of retirement 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.

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.3, Treasury Officer, Jangipur for necessary action.
12. With the aforesaid directions, the writ petition being **WPA 18454 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.)