

09.02.2026
Sl. No. 81
Ct. No. 14
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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA/18666/2025
JAGAT CHANDRA NAYEK
VS
THE STATE OF WEST BENGAL AND ORS.

Ms. Sanchayita De

...for the Petitioner

Mr. Raja Ram Banerjee

...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 interest on delayed payment of gratuity and arrear pension 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 he was appointed as an Assistant Teacher in Tarafbarpanda Primary School, Village Tarafbarpanda, Post Office Dibarpanda, District Paschim Medinipur, who retired from service on superannuation on 30th September, 2018. The pension payment order was issued in favour of the petitioner on 16th March, 2019. The gratuity and arrear pension was disbursed in favour of the petitioner on 6th April, 2019. However, no interest on the aforesaid amount has been paid in favour of the petitioner. Hence this writ petition.

4. Ms. Sanchayita De, learned advocate for the petitioner submits that there is a delay in disbursement of the gratuity and arrear pension and as such the petitioner is entitled to receive interest on such delayed payment. She seeks for appropriate direction.
5. Despite service, none appears on behalf of the State.
6. Mr. Raja Ram Banerjee, learned advocate who usually represents the State is requested to appear in this matter on behalf of the State. Let his appointment be regularised by the concerned authority.
7. Petitioner is directed to handover a copy of the writ petition alongwith all annexures to the learned advocate representing the State.
8. Mr. Banerjee, learned advocate representing the State leaves the matter to the discretion of the Court.
9. From the contentions made in the writ petition, it is found that there is a delay in disbursement of the said gratuity and arrear 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 on the aforesaid amount.
10. 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 pension in favour of the petitioner by way of pensionary benefits 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. 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.
12. With the aforesaid directions, the writ petition being **WPA 18666 of 2025** is disposed of.
13. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
14. Consequently, connected applications, if any, stand disposed of.
15. Interim orders, if any, stand vacated.
16. There shall be no order as to costs.
17. 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.)