

07.01.2026
Sl. No.13
Ct. No.14
gd

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

WPA/18881/2025
MOHAMMED ISMAIL
VS
STATE OF WEST BENGAL AND ORS.

Ms. Arpita Saha

...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 to disburse the interest on delayed payment of gratuity and arrear pension amount from 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 Assistant Teacher in Milangarh Senior Madrasah. The petitioner retired from service on superannuation on 31st May, 2016 after rendering service of 27 years. The Pension Payment Order was issued in favour of the petitioner on 15th December, 2017. The gratuity and arrear amount disbursed in favour of the petitioner on 19th February, 2018. However, no interest has been paid on the delayed payment. Hence this writ petition.

4. Ms. Arpita Saha, learned advocate for the petitioner submits that since there was delay in making payment of the gratuity and arrear pension amount, the petitioner is entitled to interest on delayed payment from the date following the date of retirement till the date of actual payment.
5. None appears on behalf of the State.
6. Ms. Molly Saha, learned advocate, who usually appears for the State, is requested to appear in this matter. Let her appointment be regularised by the concerned authority.
7. The petitioner is directed to hand over a copy of the writ petition along with the annexures to Ms. Saha, learned advocate for the State.
8. Ms. Saha, learned advocate for the State leaves the matter to the discretion of the Court.
9. It is found from the contention of the writ petition that the petitioner retired from service on 31st May, 2016. The Pension Payment Order was issued in favour of the petitioner on 15th December, 2017 and the gratuity and arrear pension amount has been paid on 19th February, 2018. As such, there is delay in making payment of the said amount. Hence, the petitioner is entitled to 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, Malda-I are directed to pay the interest @ 8% per

annum in favour of the petitioner on the gratuity and arrear pension amount from the date following the date of retirement till the date of actual payment.

11. Such payment is to be made within a period of eight weeks from the date of communication of this order.
12. 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, Malda-I for necessary action.
13. With the aforesaid directions, the writ petition being **WPA 18881 of 2025** is disposed of.
14. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
15. Interim order, if any, stands vacated.
16. All connected applications, if any, stand disposed of.
17. There shall be no order as to costs.
18. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
19. 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.)