

20.01.2026
Sl. No.9
Ct. No.14
ss

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

W.P.A. No. 18815 of 2025

**Shyamali Singh & ors.
Versus
The State of West Bengal & Ors.**

Mr. Krishna Pada Santra

...for the Petitioners.

Mr. Bipin Ghosh

...for the State.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. By the present writ petition, the petitioners seek direction upon the respondent authorities to disburse interest amount on delayed payment of gratuity and arrear pension from the date of following the date of death of the deceased employee till the date of actual payment together with interest @ 18% per annum in favour of the petitioners.
3. The petitioners contend that the deceased employee being the husband of the petitioner no.1 and father of other petitioners was an approved Assistant Teacher in Fulbari Primary School, P.O. Fulbari, District Jhargram. After completing continuous service of 17 years the deceased employee died in-harness on 6th May, 2019. The pension payment order was issued on 29th April, 2022. The gratuity amount and arrear

pension amount were disbursed in favour of the petitioners on 19th May, 2022. However, no interest on delayed payment of gratuity and arrear pension was made to the petitioners. Hence, this writ petition.

4. Mr. Krishna Pada Santra, learned Advocate appearing for the petitioners submit that the petitioners are entitled to interest on gratuity amount and arrear pension amount since there was delay in disbursement of the same.
5. Despite service, none appears on behalf of the State.
6. Mr. Bipin Ghosh, learned advocate, who usually appears for the State, is requested to appear in this matter. Let appointment of Mr. Ghosh 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 Mr. Ghosh, learned advocate for the State.
8. Mr. Ghosh, learned advocate for the State leaves the matter to the discretion of the Court.
9. From the contention raised on behalf of the writ petitioners it is found that the employee died in-harness on 6th May, 2019 and the Pension Payment Order was issued on 29th April, 2022. The gratuity and arrear pension amount were disbursed on 19th May, 2022. As such, there is delay in disbursement of gratuity and arrear pension. Hence, the petitioners are entitled to interest on the aforesaid amount.

10. Accordingly, the respondent No.2, Director of Pension, Provident Fund and Group Insurance as well as respondent no.3, Treasury Officer, Kharagpur is directed to disburse interest @ 8% per annum on the gratuity and arrear pension amount in favour of the petitioners from the date following the date of death of the employee till the date of actual payment, within a period of eight weeks from the date of communication of this order.
11. Learned Advocate for the petitioners is directed to communicate this order to the respondent No.2 Director of Pension, Provident Fund and Group Insurance and the respondent no.3, Treasury Officer, Kharagpur, for necessary compliance.
12. With the aforesaid direction, the writ petition being **WPA 18815 of 2025** stands 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.

(Bivas Pattanayak, J.)