

20.01.2026
Sl. No.10
Ct. No.14
ss

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

W.P.A. No. 18819 of 2025

**Bandana Paul & ors.
Versus
The State of West Bengal & Ors.**

Ms. Arpita Saha

...for the Petitioners.

Mr. Santanu Sett

...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 Tamluk Hemilton High School, Primary Section, P.O. Tamluk, District Purba Medinipur. After completing 33 years of continuous service, the deceased employee suddenly died in-harness on 6th January, 2018 as Head Teacher of the said

institution. The first pension payment order was issued on 25th September, 2018 and the revised pension payment order was issued on 26th April, 2022. The revised gratuity amount and arrear pension amount were disbursed in favour of the petitioners on 26th April, 2022. However, no interest on delayed payment of such amount was made to the petitioners. Hence, this writ petition.

4. Ms. Arpita Saha, 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. Mr. Santanu Sett, learned advocate for the State leaves the matter to the discretion of the Court.
6. In terms of ROPA, 2019 the petitioners are entitled to receive the revised gratuity and arrear pension amount from the date of effect of ROPA, 2019, i.e. 14th February, 2020.
7. From the contention raised on behalf of the writ petitioners it is found that the employee died in-harness on 6th January, 2018 and the revised Pension Payment Order was issued on 26th April, 2022. The revised gratuity and arrear pension amount were disbursed on 26th April, 2022. However, no interest on the revised gratuity and arrear pension has been paid. Hence, the petitioners are entitled to interest on the aforesaid amount.

8. Accordingly, the respondent No.2, Director of Pension, Provident Fund and Group Insurance as well as respondent no.3, Treasury Officer, Tamluk is directed to disburse interest @ 8% per annum on the revised gratuity and arrear pension amount in favour of the petitioners from the date of effect of ROPA, 2019 i.e. 14th February, 2020 till the date of actual payment, within a period of eight weeks from the date of communication of this order.
9. 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, Tamluk, for necessary compliance.
10. With the aforesaid direction, the writ petition being **WPA 18819 of 2025** stands disposed of.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
15. 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.)