

17.03.2026
Sl. No.35(DL)
Ct. No.14
AN

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

**W.P.A. 18971 of 2025
Tulsi Pandit
Versus
The State of West Bengal & Ors.**

Mr. Kalyan Kumar Panda
Mr. Uttam Kumar Roy

...for the Petitioner.

Mr. Siddhartha Ghosh

...for the State.

1. By the present writ petition, the petitioner seeks direction upon the respondent authorities to disburse interest on delayed payment of arrear pension.
2. The petitioner contends that her husband, late Nani Gopal Pandit was a primary teacher of Salikona Primary School, Post Office Salikona, District-Bankura. The petitioner's husband retired from service on superannuation on 31st December, 1992. The husband of the petitioner died on 23rd June, 2023. The Pension Payment Order was issued on 11th March, 2002. The arrear pension amount was released in favour of the husband of the petitioner on 18th June, 2002. However, no interest was paid on the said amount. Hence, this writ petition.
3. Mr. Kalyan Kumar Panda, learned Advocate for the petitioner submits that though the arrear pension was paid on 18th June, 2002, however no such interest on delayed payment was made.

4. On the contrary, Mr. Siddhartha Ghosh, learned Advocate for the State-respondents submits that the husband of the petitioner has refunded the overdrawal amount in the year 1998-99 and, thereafter, the pension payment order was issued. As such, there is no such delay on the part of the Pension Sanctioning Authority. He seeks for dismissal of the writ petition.
5. Though there is delay in making such claim, however, the delay *per se* cannot defeat the valuable right of the petitioner. Relief may be granted to the writ petitioner in spite of the delay if it does not affect the right of third parties. (See: ***Union of India vs. Tarsem Singh*** reported in **(2008) 3 SCC 648**).
6. Upon perusal of the pension payment order (Annexure p-2), it is found that an amount of Rs. 80,021/- to be deducted from the pension / F.P. / relief in Clause 7(c) of the pension payment order is noted. Therefore, the argument advanced by the learned advocate representing the State that the delay was due to belated refund of the overdrawal amount by the husband of the petitioner does not stand to reason.
7. The records reveal that the pension payment order has been issued after lapse of 10 years of retirement of the husband of the petitioner.
8. It is the bounden duty of the State to pay pension and retiral dues/ benefits to the employee forthwith, failing which the employee is entitled to get interest on such delayed payment.

9. In view of the above, respondent No. 2, the Director of Pension, Provident Fund and Group Insurance and respondent No. 4, the Treasury Officer, Bishnupur are directed to disburse interest @ 8% per annum on arrear pension in favour of the petitioner from the date following the date of retirement of the employee till the date of actual payment within a period of eight weeks from date of communication of this order.
10. Learned advocate for the petitioner is directed to communicate this order to respondent No. 2, the Director of Pension, Provident Fund and Group Insurance and respondent No. 4, the Treasury Officer, Bishnupur, for necessary compliance.
11. With the above direction, the writ petition being **WPA 18971 of 2025** stands disposed of.
12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
13. Interim order, if any, stands vacated.
14. All connected applications, if any, stand disposed of.
15. There shall be no order as to costs.
16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
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.)