

10.02.2026
Sl. No.78
Ct. No.14
gd

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

WPA/18920/2025
CHANDRABATI MAJUMDAR
VS
STATE OF WEST BENGAL AND ORS.

Mr. Goutam Malik

...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 for disbursement of interest on delayed payment of gratuity and arrear pension amount from the date following the date of retirement till the date of actual payment @ 18% per annum in favour of the petitioner.
3. The petitioner contends that the petitioner's husband was an approved Assistant Teacher of Ramnagar Gajipur Primary School, P.O. Gumuk Beria, District South 24-Parganas. The petitioner's husband died in harness on 10th September, 2019. The pension payment order was issued on 31st January, 2022. The gratuity was disbursed in favour of the petitioner on 17th February, 2022. However, no interest on delayed payment of gratuity has been paid. Hence, this writ petition.

4. Mr. Goutam Malik, learned Advocate appearing for the petitioner submits that since there was delay in disbursement of the gratuity and arrear pension amount, hence, the petitioner being the widow of the deceased employee is entitled to interest on the aforesaid amount from the date following the date of death of the petitioner's husband till the date of actual payment.
5. Despite service, none appears on behalf of the State.
6. Mr. Sm. Samim Ullah, learned Advocate, who usually appears on behalf of the State-respondent is requested to appear in this matter. The appearance of Sm. Samim Ullah be regularised by the competent authority.
7. Learned Advocate for the petitioner is directed to serve a copy of the writ petition along with its annexure upon Sm. Samim Ullah, learned Advocate for the State.
8. Sm. Samim Ullah, learned Advocate for the State leaves the matter to the discretion of this 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 amount. 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.
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, Diamond Harbour are directed to disburse the interest

at the rate of @ 8% per annum on the gratuity and arrear of family pension in favour of the petitioner by way of pensionary benefits from the date following the date of death of the petitioner's husband till the actual date of 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, Diamond Harbour for necessary compliance.
12. With the aforesaid direction, the writ petition being **WPA 18920 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.)