

20.01.2026
Sl. No.12(DL)
Ct. No.14
srm

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

**W.P.A. No. 19650 of 2025
Sankari Samanta
Versus
The State of West Bengal & Ors.**

Mr. Uttam Kumar Roy

...for the Petitioner.

Mr. Srikanta Paul,
Mr. Md. Arif Ansari

...for the State.

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 interest on delayed payment of arrear pension.
3. The petitioner contends that her husband, late Santosh Kumar Samanta was a primary Head Teacher of Tantisal Primary School, P.O. Tantisal, District-Hooghly. The petitioner's husband retired from service on superannuation on 31st October, 1992. The husband of the petitioner died on 22nd October, 2012. The Pension Payment Order was issued on 16th January, 2002. The arrear pension of Rs.86,665/- was released in favour of the husband of the petitioner on 17th April, 2002. However, no interest was paid on the said amount. Hence, this writ petition.
4. Mr. Uttam Kumar Roy, learned Advocate for the petitioner submits that though the arrear pension was

paid on 17th April, 2002, however no such interest on delayed payment was made.

5. On the contrary, Mr. Srikanta Paul, learned Advocate for the State-respondents submits that the writ petition has been filed after almost 23 years to claim interest on delayed payment of arrear pension.
6. Having heard the learned advocate for the respective parties, now it is to be examined whether the petitioner is entitled to interest on delayed payment of arrear pension or not.
7. From the contentions in the writ petition, it is found that the husband of the petitioner retired from service on superannuation on 31st October, 1992. The Pension Payment Order was issued on 16th January, 2002. The arrear pension was released in favour of the husband of the petitioner on 17th April, 2002, which is almost after 10 years of retirement. It is a fact that at that point of time no claim was made for payment of interest on delayed payment of arrear pension. Be that as it may, it is the bounden duty of the State to pay pension and retiral dues to the employee forthwith, failing which the employee is entitled to get interest on such delayed payment. The prayer of the petitioner claiming interest on delayed payment of arrear pension has been opposed by the State-respondents on the ground of delay in filing of the writ petition. Though the writ petition has been filed at a belated stage, however, the valuable right

accrued in favour of the petitioner cannot be dismissed on the ground of delay *per se*.

8. In view of the above, respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.4, the Treasury Officer, Arambagh, Hooghkt 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.
9. 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, Arambagh, Hooghly, for necessary compliance.
10. With the above direction, the writ petition being **WPA 19650 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.

16. 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.)