

16.02.2026
Sl. No. 57
Ct. No. 14
AN

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

WPA/19426/2025

PANKAJ PATHAK

VS

THE STATE OF WEST BENGAL AND ORS.

Mr. Goutam Malik

...for the Petitioner

Mr. Soumik Dey

...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 for disbursement of interest on delayed payment of gratuity and arrear pension from the date following the date of retirement of the petitioner till the date of actual payment at the rate of 18% per annum.
3. The petitioner contends that the petitioner was a Head Teacher of Maity Dubrajpur Primary School, Post Office Brahmandiha, Police Station Indpur, District Bankura, who retired from service on superannuation on 30th November, 2023. The pension payment order was issued in favour of the petitioner on 14th July, 2025. The gratuity and arrear pension was disbursed in favour of the petitioner on 21st July, 2025. However, no interest on the aforesaid amount

has been paid in favour of the petitioner. Hence this writ petition.

4. Mr. Goutam Malik, learned advocate for the petitioner submits that there is a delay in disbursement of the gratuity and arrear pension and as such the petitioner is entitled to receive interest on the delayed payment of gratuity and arrear pension. He seeks for appropriate orders.
5. Despite service none appears on behalf of the State.
6. Mr. Soumik Dey, learned advocate who usually represents the State is requested to appear in this matter on behalf of the State. Let his appointment be regularised by the competent authority. Petitioner is directed to handover a copy of the writ petition alongwith all annexures to the learned advocate representing the State.
7. Mr. Soumik Dey, learned advocate representing the State leaves the matter to the discretion of the Court.
8. From the aforesaid contentions made in the writ petition, it is found that there is considerable delay in disbursement of the gratuity and arrear pension. 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 on the aforesaid amount.
9. Accordingly, respondent no. 2, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no. 4, the

Treasury Officer, Khatra are directed to disburse the interest at the rate of @ 8% per annum on the gratuity and arrear of pension in favour of the petitioner by way of pensionary benefits from the date following the date of retirement of the petitioner till the date of actual payment. Such payment is to be made within a period of eight weeks from the date of communication of this order.

10. 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. 4, the Treasury Officer, Khatra for necessary compliance.
11. With the aforesaid directions, the writ petition being **WPA 19426 of 2025** is disposed of.
12. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
13. Consequently, connected applications, if any, stand disposed of.
14. Interim orders, if any, stand vacated.
15. There shall be no order as to costs.
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.)