

16.02.2026
Sl. No. 105
Ct. No. 14
gd

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

WPA/19918/2025
AMAL DATTA AND ANR.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Sudipta Maiti
...for the Petitioner

Mr. Bikramjit Mandal
...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 from the date following the date of death of the concerned employee till the date of actual payment at the rate of 18% per annum.
3. The petitioner no.1 is the husband and petitioner no.2 is the daughter of the deceased employee. The concerned employee was an approved Head Teacher of Ratrapur Junior Basic Primary School, Post Office- Ghosherpole, Police Station-Raidighi, District- Paschim Medinipur who died in harness on 11th May, 2024. The pension payment order was issued on 13th March, 2025. The gratuity was disbursed on 13th

June, 2025. However, no interest on the aforesaid amount has been paid. Hence this writ petition.

4. Mr. Sudipta Maiti, learned advocate for the petitioner submits that there is a delay in disbursement of the gratuity and as such the petitioner is entitled to receive interest on the delayed payment of gratuity. He seeks for appropriate orders.
5. Mr. Bikramjit Mandal, learned Advocate for the State leaves the matter to the discretion of this Court.
6. From the aforesaid contentions made in the writ petition, it is found that there is considerable delay in disbursement of the gratuity 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 on the aforesaid amount.
7. Accordingly, respondent no. 2, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no. 3, the Treasury Officer, Kharagpur 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 death of the concerned employee 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.
8. 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, Kharagpur for necessary compliance.

9. With the aforesaid directions, the writ petition being **WPA 19918 of 2025** is disposed of.
10. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
11. Consequently, connected applications, if any, stand disposed of.
12. Interim orders, if any, stand vacated.
13. There shall be no order as to costs.
14. 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.)