

10.03.2026
Sl. No.33(DL)
Ct. No.14
srm

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

W.P.A. No. 19927 of 2025

Mallika Mahata

Versus

The State of West Bengal & Ors.

Ms. Smritikana Guchhait

...for the Petitioner.

Mr. Arun Kr. Saha

...for the State.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Report of the District Inspector of Schools (PE), Paschim Medinipur dated 6th March, 2026 filed by the State is also taken on record.
3. By the present writ petition the petitioner seeks direction upon the respondent authorities for disbursement of interest on delayed payment of arrear of family pension amount from the date of death of the employee till the date of actual payment at the rate of 18% per annum.
4. The petitioner contends that the petitioner's father was appointed as an Assistant Teacher in Tharia Primary School, P.O. Tharia, District Paschim Medinipur, who died-in-harness on 6th January, 2009. The mother of the petitioner pre-deceased of her father and died on 28th January, 1986. The husband of the petitioner died on 31st December, 2004. The petitioner is the widowed

daughter of the deceased employee. The pension payment order was issued in favour of the petitioner on 12th August, 2024. The arrear family pension was disbursed in favour of the petitioner on 31st October, 2024. However, no interest on the aforesaid amount has been paid in favour of the petitioner. Hence this writ petition.

5. Ms. Smritikana Guchhait, learned advocate for the petitioner submits that there is a delay in disbursement of the family pension amount and as such the petitioner is entitled to receive interest on the delayed payment of family pension amount. She seeks for appropriate orders.
6. Mr. Arun Kr. Saha, learned Advocate for the State submits that it is only on 2nd May, 2023 the petitioner submitted application with relevant documents for grant of family pension in her favour, which has been allowed on 12th August, 2024. Thus, there is no such delay in disbursement of the arrear family pension amount.
7. From the aforesaid contentions made in the writ petition, it is found that the father of the petitioner died on 6th January, 2009 and her mother predeceased her father and died on 28th January, 1986. The petitioner's entitlement to family pension follows from the date of death of the deceased employee. It is informed by the learned Advocate for the State that the arrear family pension has been calculated following the date of death of the deceased

employee. In view of the above, the petitioner is entitled to interest on the delayed payment of arrear of family pension amount.

8. Accordingly, respondent no. 2, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no. 3, the Treasury Officer, Midnapore, are directed to disburse the interest at the rate of @ 8% per annum on the arrear of family pension amount in favour of the petitioner by way of pensionary benefits from the date following the date of death of the 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.
9. 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, Midnapore for necessary compliance.
10. With the aforesaid directions, the writ petition being **WPA 19927 of 2025** is disposed of.
11. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
12. Consequently, connected applications, if any, stand disposed of.
13. Interim orders, if any, stand vacated.
14. There shall be no order as to costs.

15. 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.)