

09.02.2026
Sl. No. 20
Ct. No. 14
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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA/20492/2025
ANIMITA MARJIT SARKAR
VS
THE STATE OF WEST BENGAL AND ORS.

Mrs. Debjani Sahu

...for the Petitioner

Md. Abu Reja Jaglul Kabir

...for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition the petitioners seek direction upon the respondent authorities for disbursement of the interest on delayed payment of gratuity and arrear pension from the date following the date of death of the deceased employee till the date of actual payment at the rate of 18% per annum.
3. The petitioner contends that the husband of the petitioner was an Assistant Teacher 64, Mehedipur Primary School, Post Office Rainda, District Murshidabad, who died-in-harness on 16th November, 2022 after completion of 18 years of qualifying service. The pension payment order was issued on 26th August, 2023. The gratuity and arrear pension was disbursed on 3rd October, 2023. However, no

interest on the aforesaid amount has been paid in favour of the petitioner. Hence this writ petition.

4. Mrs. Debjani Sahu, 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 such delayed payment. She seeks for appropriate orders.
5. Md. Abu Reja Jaglul Kabir, learned advocate representing the State leaves the matter to the discretion of the Court.
6. From the aforesaid contentions made in the writ petition, it is found there is delay in disbursement of the said gratuity and arrear of 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.
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, Lalbagh are directed to disburse the interest at the rate of @ 8% per annum on the gratuity and arrear pension in favour of the petitioner by way of all pensionary benefits from the date following the date of death of the deceased 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, Lalbagh for necessary compliance.
9. With the aforesaid directions, the writ petition being **WPA 20492 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.)