06.10.2026
Sl. No.39
Ct. No.14
gd

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

**W.P.A. No. 22224 of 2026**

**Sangita Sarkar**
**Versus**
**The State of West Bengal & Ors.**

Mr. Krishna Pada Santra
...for the Petitioner.

Mr. Mukunda Lal Sarkar
...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 amount from the date of death of the deceased employee till the date of actual payment @ 18% per annum in her favour.

3. The petitioner contends that her husband, late Dipak Kumar Sarkar was an Assistant Teacher of Bordangi Refujee Primary School, Village and Post Office-Duba Khoksan, Police Station-Gazole, District-Malda who died in harness on 9th October, 2024. The pension payment order was issued on 29th December, 2025. The gratuity and arrear pension amount was disbursed on 11th January, 2026. However, no interest on delayed payment of arrear pension amount has been paid. Hence, this writ petition.

4. Mr. Krishna Pada Santra, learned advocate appearing for the petitioner submits that since there was delay in disbursement of the gratuity and arrear pension amount, hence the petitioner is entitled to 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. Mukunda Lal Sarkar, learned advocate, who usually appears on behalf of the State, is requested to appear in this matter along with junior of his choice. Let the appearance of Mr. Sengupta along with junior be regularised by the competent authority.

7. Learned advocate for the petitioner is directed to hand over a copy of the writ petition along with its annexures to the learned advocate for the State.

8. Mr. Sarkar, learned advocate for the State leaves the matter to the discretion of this Court.

9. 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 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.

10. Accordingly, the respondent No.2, Director of Pension, Provident Fund and Group Insurance as well as respondent no.3, Treasury Officer, Malda-I is directed to disburse interest @ 8% per annum on the gratuity and arrear pension amount in favour of the petitioner

from the date following the date of death of the concerned employee till the date of actual payment, within a period of eight weeks from the date of communication of this order.

11. Learned Advocate for the petitioner is directed to communicate this order to the respondent No.2, Director of Pension, Provident Fund and Group Insurance and the respondent no.3, Treasury Officer, Malda-I, for necessary compliance.

12. With the aforesaid direction, the writ petition being **WPA 22224 of 2026** stands disposed of.

13. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

14. Interim order, if any, stands vacated.

15. All connected applications, if any, stand disposed of.

16. There shall be no order as to costs.

17. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

**(Bivas Pattanayak, J.)**