

10.02.2026
Sl. No.41(DL)
Ct. No.14
srm

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

W.P.A. No. 20596 of 2025

Durga Saha Prasad

Versus

The State of West Bengal & Ors.

Mr. Krishna Pada Santra
Ms. Arpita Saha

...for the Petitioner.

Mr. Jahangir Hossain

...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 for direction upon the respondent authorities for disbursement of interest on delayed payment of gratuity and arrear pension from the date following the date of death of the petitioner's husband till the date of actual payment @ 18% per annum.
3. The petitioner contends that her husband was an Assistant Teacher of Barijpur Primary School, P.O. Shebajinagar, District-Malda. The petitioner died-in-harness on 5th March, 2019. The Pension Payment Order was issued on 19th February, 2020. The gratuity and arrear pension was received by the petitioner on 1st April, 2020. However, no interest has been paid to the petitioner. Hence, this writ petition.

4. Mr. Krishnapada Santra, learned Advocate for the petitioner submits that there is delay in making payment of gratuity and arrear pension. The petitioner is entitled to get interest on the said amount from the date following the date of death of her husband till the date of actual payment.
5. Mr. Jahangir Hossain, learned Advocate for the State leaves the matter to the discretion of the Court.
6. From the contention made in the writ petition, it is found that the petitioner received gratuity and arrear pension after 10 months of the death of her husband. Hence the petitioner is entitled to interest of the aforesaid amount.
7. In view of the above, respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Malda-I, Malda are directed to disburse interest @ 8% per annum on the gratuity and arrear pension in favour of the petitioner from the date following the date of death of her husband till the date of actual payment within a period of eight weeks from date of communication of this order.
8. Learned advocate for the petitioner is directed to communicate this order to respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Malda-I, Malda, for necessary compliance.

9. With the above direction, the writ petition being **WPA 20596 of 2025** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
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.)