

03.02.2026
Sl. No. 22
Ct. No. 14
AN

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

WPA/20622/2025
DURGA SAHA PRASAD
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Krishna Pada Santra

...for the Petitioner

Mrs. Dipanwita Ghosh Chowdhury

...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 respondents to disburse the interest towards the delayed payment of gratuity and arrear pension amount at the rate of 18% per annum under ROPA 2019 with effect from 14th February, 2020 till the date of actual payment.
3. The petitioner contends that the husband of the petitioner was an Assistant Teacher of Barijpur Primary School, Village Barijpur, Post Office Shebajinagar, Police Station Gazole, District Malda. After rendering about 18 years of satisfactory service, he died-in-harness on 5th March, 2019. The first pension payment order was issued on 9th February, 2020. The revised pension payment order under ROPA 2019 was issued on 23rd

February, 2022. The revised gratuity and arrear pension amount was disbursed to the petitioner on 1st March, 2022. However, no interest was paid on the delayed payment of gratuity and arrear pension. Hence this writ petition.

4. Mr. Krishna Pada Santra, learned advocate for the petitioner submits that the petitioner is entitled to interest on revised gratuity and arrear pension under ROPA 2019 with effect from 14th February, 2020. He seeks for appropriate orders.
5. Despite service none appears on behalf of the State.
6. Mrs. Dipanwita Ghosh Chowdhury, learned advocate who usually represents the State is requested to appear in this matter on behalf of the State. Let her appointment be regularised by the concerned authority.
7. Petitioner is directed to handover a copy of the writ petition alongwith all annexures to the learned advocate representing the State.
8. Mrs. Chowdhury, learned advocate for the State leaves the matter to the discretion of the Court.
9. In terms of ROPA, 2019 the petitioner is entitled to receive the revised gratuity and arrear pension amount from the date of effect of ROPA, 2019, i.e. 14th February, 2020. The revised gratuity and arrear pension is disbursed on 1st March, 2022. As such, the petitioner is entitled to interest on the aforesaid amount.
10. Accordingly, respondent no. 2, the Director of Pension, Provident Fund and Group Insurance, Government of

West Bengal and respondent no. 3, the Treasury Officer, Malda-I, are directed to disburse the interest at the rate of @ 8% per annum on the revised gratuity and arrear of family pension in favour of the petitioner by way of pensionary benefits under ROPA 2019 with effect from 14th February, 2020 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.

11. 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, Malda-I, for necessary compliance.
12. With the aforesaid directions, the writ petition being **WPA 20622 of 2025** is disposed of.
13. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
14. Consequently, connected applications, if any, stand disposed of.
15. Interim orders, if any, stand vacated.
16. There shall be no order as to costs.
17. 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.)