

24.03.2026
Sl. No.33
Ct. No.14
gd

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

WPA/20939/2025
GOURI RANI MONDAL
VS
STATE OF WEST BENGAL AND ORS.

Mr. Banshi Badan Maity

...for the Petitioner.

Ms. Sharmila Deb

...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 to disburse interest on delayed payment of revised arrear pension from the date of effect of ROPA 2009 till the date of actual payment.
3. The petitioner contends that the petitioner's husband was an approved Head Teacher of Daudpur Primary School, P.O.- Daudpur, District-Purba Medinipur. The petitioner's husband retired from service on superannuation on 31st October, 2009 and expired on 3rd June, 2024. The first Pension Payment Order was issued in favour of the petitioner 28th October, 2009. The revised Pension Payment Order as per ROPA 2009 was issued on 8th February, 2013. The revised gratuity and arrear pension amount was paid to the

petitioner 16th May, 2013. The petitioner is entitled to revised gratuity and arrear pension from the date of effect of ROPA 2009 i.e. 19th May, 2009. However, no interest has been paid on the delayed payment of revised arrear pension. Hence this writ petition.

4. Mr. Banshi Badan Maity, learned Advocate appearing for the petitioner submits that the petitioner is entitled to interest on gratuity and arrear pension amount from the date of effect of ROPA, 2009, i.e. 19th May, 2009.
5. Ms. Sharmila Deb, learned advocate for the State leaves the matter to the discretion of the Court.
6. Though there is delay in making such claim, however, delay *per se* cannot defeat the valuable right of the petitioner. Relief may be granted to the writ petitioner in spite of the delay if it does not affect the right of third parties. (See: ***Union of India vs. Tarsem Singh*** reported in **(2008) 3 SCC 648**).
7. In terms of ROPA, 2009 the petitioner is entitled to receive the revised gratuity and arrear pension amount from the date of effect of ROPA, 2009, i.e. 19th May, 2009. The revised gratuity and arrear pension is disbursed on 16th May, 2013. As such, the petitioner is entitled to interest on the aforesaid amount.
8. Accordingly, respondent no.2, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no.4, Treasury Officer, Contai are directed to pay the interest at the rate of

interest @ 8% per annum on the revised gratuity and arrear pension in favour of the petitioner on and from the date of effect of ROPA, 2009 i.e. 19th May, 2009 till the date of actual payment.

9. Such payment is to be made within a period of eight weeks from the date of communication of this order.
10. Learned advocate for the petitioner is directed to communicate this order to the respondent no.2, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no.4, Treasury Officer, Contai for necessary action.
11. With the aforesaid directions, the writ petition being **WPA 20939 of 2025** is disposed of.
12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
13. Interim order, if any, stands vacated.
14. All connected applications, if any, stand disposed of.
15. There shall be no order as to costs.
16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
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.)