

27.01.2026
Sl. No. 14
Ct. No. 14
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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA/20930/2025
SAYED SAMSUL AHASAN

VS

THE STATE OF WEST BENGAL AND ORS.

Ms. Sabita Khutia (Bhunya)

Mr. Krishna Pada Santra

...for the Petitioner

Mrs. Tanima Sengupta

...for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. On the prayer of the learned advocate appearing for the petitioner, leave is granted to correct the date of death of the petitioner's father in 3rd line of paragraph no.2 at page 2 and date of commencement of arrear pension in 6th line of paragraph no.6 at page 4 of the writ petition.
3. By the present writ petition the petitioner seeks direction upon the respondent authorities to disburse the interest towards the delayed payment of arrear of family pension from 13th January, 2009 till the date of actual payment at the rate of 18% per annum.
4. The petitioner contends that his father was an Assistant Teacher of Bansabati Junior Basic School, Vill. & P.O. Bansabati, Dist. Murshidabad, who died-in-harness on 13th June, 1987. The mother of the petitioner was granted pension vide order dated 12th

May, 1993. The mother of the petitioner died on 11th July, 2007. The pension payment order was issued in favour of the petitioner on 29th November, 2022. The arrear family pension was disbursed in favour of the petitioner on 13th January, 2009, commencing from 13th January, 2009 to 1st January, 2023. However, no interest on such amount was paid in favour of the petitioner. Hence this writ petition.

5. Ms. Sabita Khutia (Bhunya), learned advocate for the petitioner submits that as per the Circular dated 13th January, 2009, the petitioner is entitled to arrear of family pension from such date. Though the arrear was paid from 13th January, 2009 to 1st January, 2023, however, no interest on such amount has been disbursed. She seeks for appropriate direction.
6. None appears on behalf of the State despite service.
7. Mrs. Tanima Sengupta, 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.
8. Learned advocate for the petitioner is directed to handover a copy of the writ petition alongwith all annexures to the learned advocate representing the State.
9. Mrs. Sengupta, learned advocate representing the State leaves the matter to the discretion of the Court.
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, Jangipur, District Murshidabad are directed to disburse the interest at the rate of interest @ 8% per annum on the arrear of family pension in favour of the petitioner by way of pensionary benefits from 13th January, 2009 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, Jangipur, District Murshidabad for necessary compliance.
12. With the aforesaid directions, the writ petition being **WPA 20930 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.)