

07.04.2026
Sl. No.27
Ct. No.14
ss

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

W.P.A. No. 21816 of 2025

**Naran Chandra Kundu
Versus
The State of West Bengal & Ors.**

Ms. Sudipa Banerjee

...for the Petitioner.

Mr. SM Samim Ullah

...for the State.

1. On the prayer of the learned Advocate for the petitioner, leave is granted to correct the year of ROPA in prayers (a) and (e) of the writ petition.
2. Affidavit-of-service filed on behalf of the petitioner is taken on record.
3. Report filed by State respondents furnished by District Inspector of School (P.E.), Bankura dated 9th March, 2026 is taken on record.
4. By the present writ petition, the petitioner seeks direction upon the respondent authorities for disbursement of interest on delayed payment of revised gratuity and arrear pension amount from the date of effect of ROPA, 2009 till the date of actual payment @ 18% per annum in favour of the petitioner.
5. The petitioner contends that he was an approved Head Teacher of Banksimul Primary School, District Bankura. The petitioner retired from service on

superannuation on 30th April, 2014. The first pension payment order was issued in the year 2014 and the revised pension payment order under ROPA, 2009 was issued on 18th May, 2015. The revised gratuity and arrear pension amount was disbursed on 25th May, 2015. However, no interest on delayed payment of such amount was made to the petitioner. Hence, this writ petition.

6. Ms. Sudipa Banerjee, learned Advocate appearing for the petitioner submits that the petitioner is entitled to interest on revised gratuity and arrear pension amount from the date following the date of retirement of the petitioner till the date of actual payment.
7. Mr. SM Samim Ullah, learned Advocate for the State respondent submits that there is no such delay in disbursement of the pensionary benefits and as such the petitioner is not entitled to interest on the revised amount.
8. 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**).
9. From the contention made in the writ petition it is found that there is delay in disbursement of the revised amount and as such petitioner 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, Bankura is directed to disburse interest @ 8% per annum on the revised gratuity and arrear pension amount in favour of the petitioner from the date following the date of retirement of the petitioner 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, Bankura, for necessary compliance.
12. With the aforesaid direction, the writ petition being **WPA 21816 of 2025** 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.)