

07.04.2026
Sl. No.41(DL)
Ct. No.14
srm

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

W.P.A. No. 21994 of 2025

Nibedita Mondal

Versus

The State of West Bengal & Ors.

Ms. Molly Saha

...for the Petitioner.

Mr. Srikanta Datta,
Mr. Prodyot Kumar Ray

...for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Report filed by the State-respondents furnished by the District Inspector of Schools (P.E.), Birbhum dated 18th September, 2025 is taken on record.
3. By the present writ petition, the petitioner seeks direction upon the respondent authorities for disbursement of interest on delayed payment of arrear pension amount from the date of entitlement till the date of actual payment @ 10% per annum.
4. The petitioner contends that her father, late Prabhat Kumar Mondal was an approved Assistant Teacher of Markolla Primary School, P.O. Fulur, Police Station – Sainthia, District-Birbhum, who died-in-harness on 24th February, 1976. The family pension was granted in favour of the mother of the petitioner. The petitioner's mother died on 9th March, 2014. After several litigations, Pension Payment Order was issued on 4th

July, 2025 in favour of the petitioner. Although arrear of family pension was paid to the petitioner on 27th August, 2025, however, no interest has been paid to the petitioner. Hence, this writ petition.

5. Ms. Molly Saha, learned Advocate for the petitioner submits that there is delay in disbursement of arrear pension and as such the petitioner is entitled to receive interest on the delayed payment of arrear pension.
6. Mr. Srikanta Datta, learned Advocate for the State submits that the petitioner is not entitled to receive interest since the family pension has been granted in favour of the petitioner in compliance to the order passed by this Court in WPA 21903 of 2019.
7. It is not in dispute that petitioner is entitled to family pension from the date following the date of death of her mother. Admittedly, arrears have been paid to the petitioner from the date of her entitlement, however, no interest has been paid to the petitioner. The petitioner is entitled to interest on arrear family pension due to delayed payment.
8. Accordingly, respondent No.5, the Director of Pension, Provident Fund and Group Insurance and respondent No.6, the Treasury Officer, Suri, Birbhum are directed to disburse interest @ 8% per annum on the arrear pension in favour of the petitioner by way of pensionary benefits from the date following the date of death of petitioner's mother, i.e. 10th March, 2014 till the date of actual payment. Such payment is to be made

within a period of eight weeks from date of communication of this order.

9. Learned advocate for the petitioner is directed to communicate this order to respondent No.5, the Director of Pension, Provident Fund and Group Insurance and respondent No.6, the Treasury Officer, Suri, Birbhum, for necessary compliance.
10. With the above direction, the writ petition being **WPA 21994 of 2025** stands disposed of.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
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.)