

05.01.2026
Court No.03
Items 27 to 30
Cp

WPA No. 23276 of 2025

Babi Bowri @ Bauri
Vs.
The State of West Bengal & Ors.

With

WPA No. 23281 of 2025

Padma Bauri
Vs.
The State of West Bengal & Ors.

With

WPA No. 23286 of 2025

Sobha Bauri
Vs.
The State of West Bengal & Ors.

With

WPA No. 23291 of 2025

Chinta Bauri
Vs.
The State of West Bengal & Ors.

Mr. Somnath Ghoshal
Mr. Rahul Nag
Mr. Dipanjan Karmakar

.....for the petitioners.

Mr. Ramkrishna Bhattacharyya

....for the Raghunathpur
Municipality.

Mr. Argha Chowdhury
Ms. Renuka Patrick

....for the State in
WPA No. 23281 of 2025.

Ms. Amrita Panja Moulick
Mr. P. Kundu

....for the State in
WPA No. 23286 of 2025.

Mr. P. K. Bhattacharya
.....for the State in
WPA No. 23276 of 2025.

Mr. Debjit Mukherjee
Ms. P. Jana
.....for the State in
WPA No. 23291 of 2025.

1. The matters all relate to non-payment of arrear family pension and gratuity. The respective petitioner’s husbands since deceased were the regular employees of the Raghunathpur Municipality.
2. The husbands of the respective petitioners in the writ petitions had been superannuated from service on completion of their service carriers on the following dates:-

Writ Petition	Date of Superannuation
WPA No. 23276 of 2025	
WPA No. 23281 of 2025	January 31, 2017
WPA No. 23286 of 2025	January 17, 2013
WPA No. 23291 of 2025	December 21, 2019

3. When the matters came up for consideration on November 6, 2025, this Court upon hearing the respective parties while directing the municipality to file an affidavit as regards the entitlement and the payments made in favour of the respective petitioners had observed that pendency of the writ

petition shall not stand in the way of the municipality from making payment of the legitimate dues of the respective petitioners including family pension and gratuity.

- 4. Subsequently, on November 25, 2025, the matter was adjourned at the instance of the municipality.
- 5. Today a report in the form of an affidavit has been filed wherefrom it would transpire that the following amounts are admittedly due in respect of the respective petitioners:-

Case No.	Name	Amount
WPA 23276 of 2025	Babi Bowri @ Bauri	Rs. 3,32,070/-
WPA 23281 of 2025	Padma Bauri	Rs. 5,13,881/-
WPA 23286 of 2025	Sobha Bauri	Rs.3,32,070/-
WPA 23291 of 2025	Chinta Bauri	Rs.12,42,875/-

- 6. It is well-settled that gratuity and pensionary benefits cannot be held back without any cause. The respondents have illegally held back the gratuity and the family pension payable in favour of the respective petitioners. The petitioners have already lost their husbands and the family pension is the means for their survival.
- 7. Taking into consideration that pension and gratuity have remained outstanding for quite some

time, I am of the view that no fruitful purpose will be served by keeping the writ petitions pending. Accordingly, I direct the respondents to ensure that the entire amount of gratuity along with arrear pension is forthwith disbursed in favour of the respective petitioners.

8. The arrears of gratuity shall carry an interest of 10% p.a. on the amount which has fallen due calculated from the date when the same became payable, i.e. the month following the date of superannuation upto the time the same is actually disbursed.
9. Insofar as the arrear pension is concerned, the same shall also carry an interest @ 6% p.a. from the date when the same had remained due till such time the same is actually disbursed in favour of the respective petitioners.
10. The respondents shall continue to pay family pension to the respective petitioners on regular basis.
11. With the above directions, the writ petitions stand disposed of.
12. All the parties are directed to act on the basis of the server copy of this order, duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J.)