

19.01.2026
Sl. No.9
Ct. No.14
ss

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

WPA 25819 of 2025

**Kinkari Maity
Vs.
The State of West Bengal & ors.**

Mr. Sourav Mitra
Ms. Sreyasree Choudhury
...for the Petitioner.

Ms. Susmita Biswas Chowdhury
... 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 respondents to disburse the interest amount towards arrear pension from the date of entitlement till the date of actual payment along with interest at the rate of 18% per annum.
3. The petitioner contends that her father, namely, late Bhuban Chandra Maity was an Assistant Teacher in Hatishal Gopalnagar Primary School under Kolaghat East Circle in the district of Purba Medinipur, who died in-harness on 3rd January, 1971. The mother of the petitioner, who was receiving family pension, expired on 31st December, 1994. The husband of the petitioner expired on 8th June, 2001. The petitioner is the widowed daughter of the deceased employee, namely, Bhuban

Chandra Maity. Pension Payment Order has been issued in favour of the petitioner on 9th April, 2025. The arrear family pension was disbursed in favour of the petitioner on 26th April, 2025. Since no interest on the pensionary benefits including arrear amounts were disbursed, the petitioner is constrained to file the present writ petition.

4. Mr. Sourav Mitra, learned advocate for the petitioner submits that by dint of a Circular dated 10th January, 2008 the petitioner being the widowed daughter is entitled to receive pensionary benefits, and as such, the petitioner seeks for interest on pensionary benefits and arrear amount from such date. He relies on the decision of a Co-ordinate Bench passed in *Suchitra Shasmal versus State of West Bengal & Ors. (WPA 21260 f 2024)*.
5. Despite service, none appears on behalf of the State.
6. Ms. Susmita Biswas Chowdhury, learned advocate, who usually appears for the State, is requested to appear in this matter. Let her appointment be regularised by the competent authority.
7. The petitioner is directed to hand over a copy of the writ petition along with the annexures to Ms. Susmita Biswas Chowdhury, learned advocate for the State.
8. Ms. Susmita Biswas Chowdhury, learned advocate for the State leaves the matter to the discretion of the Court.
9. In view of the contentions raised in the writ petition, respondent no.2, Director of Pension, Provident Fund

and Group Insurance, Government of West Bengal and respondent no.3-Treasury Officer, Tamluk are directed to pay the interest at the rate of interest @ 8% per annum in favour of the petitioner by way of the pensionary benefits on and from 10th January, 2008 till the date of issuance of the Pension Payment Order.

10. With the aforesaid directions, the writ petition being **WPA 25819 of 2025** is disposed of.
11. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
12. There shall be no order as to costs.
13. 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.)