

09.02.2026
Sl. No. 23
Ct. No. 14
AN

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

WPA/26489/2025
BIBHAS CHANDRA DE
VS
THE STATE OF WEST BENGAL AND ORS.

Mrs. Debjani Sahu

...for the Petitioner

Mr. Dipankar Dasgupta

...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 respondent authorities for disbursement of interest on delayed payment of gratuity and arrear pension from the date following the date of retirement till the date of actual payment at the rate of 18% per annum.
3. The petitioner contends that he was an Assistant Teacher of 25 Nutan Debaipur School, Post Office Debaipur, District Murshidabad, who retired from service on superannuation on 31st January, 2021. The pension payment order was issued in favour of the petitioner on 31st January, 2022. The gratuity and arrear pension was paid on 31st January, 2022. However, no interest on the aforesaid amount has

been paid in favour of the petitioner. Hence this writ petition.

4. Mrs. Debjani Sahu, learned advocate for the petitioner submits that as there is a delay in disbursement of the gratuity and arrear pension, as such the petitioner is entitled to receive interest on such delayed payment. She seeks for appropriate direction.
5. Mr. Dipankar Dasgupta, learned advocate representing the State leaves the matter to the discretion of the Court.
6. From the aforesaid contentions made in the writ petition, it is found that there is a delay in disbursement of the said gratuity and arrear pension. It is the bounden duty of the State to disburse all the pensionary benefits to the employee forthwith, failing which the employee is entitled to interest on the aforesaid amount.
7. Accordingly, respondent no. 2, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no. 3, the Treasury Officer, Lalbagh are directed to disburse the interest at the rate of @ 8% per annum on the delayed payment of gratuity and arrear pension in favour of the petitioner by way of all pensionary benefits from the date following the date of retirement 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.

8. 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, Lalbagh for necessary compliance.
9. With the aforesaid directions, the writ petition being **WPA 26489 of 2025** is disposed of.
10. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
11. Consequently, connected applications, if any, stand disposed of.
12. Interim orders, if any, stand vacated.
13. There shall be no order as to costs.
14. 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.)