

09.06.2026
Sl. No.12
Ct. No.6
ss

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

W.P.A. No. 681 of 2026

**Firoja Begam & anr.
Versus
The State of West Bengal & Ors.**

Mr. Debajit Kundu
...for the Petitioners.

Mr. Samar Rakshit,
Ms. Rajni Singh Dev
...for the State.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. By the present writ petition, the petitioners seek direction upon the respondent authorities for disbursement of interest on delayed payment of gratuity amount @ 18% per annum from date following the date of entitlement till the date of actual payment.
3. The petitioners contend that their son namely, Rahanur Faruk Islam was an Assistant Teacher in Chhapna High Madrasah in the District of Cooch Behar under control of District Inspector of Schools (SE), Cooch Behar. The petitioners' son died-in-harness on 13th July, 2020. The Pension Payment Order was issued on 16th December, 2025. The gratuity amount has been

disbursed on 19th February, 2026. However, no interest on delayed payment of gratuity was disbursed in favour of the petitioners. Hence, this writ petition.

4. Mr. Debajit Kundu, learned Advocate for the petitioners submits that the petitioners are the parents of the deceased employee who died-in-harness on 13th July, 2020. There is considerable delay in disbursement of the gratuity amount and as such, the petitioners are entitled to interest on delayed payment of gratuity amount.
5. Mr. Samar Rakshit, learned Advocate for the State leaves the matter to the discretion of the Court.
6. From the contention made in the writ petition, it is found that the son of the petitioners expired on 13th July, 2020 and the gratuity amount has been disbursed on 19th February, 2026. As such there is delay in disbursement of the aforesaid amount. Hence, the petitioners are entitled to interest on the aforesaid amount of gratuity.
7. In view of the above, respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.4, the Treasury Officer, Cooch Behar are directed to disburse interest @ 8% per annum on gratuity in favour of the petitioners to the extent of their share and

entitlement from the date following the date of death of the deceased employee till the date of actual payment within a period of six weeks from date of communication of this order.

8. Learned advocate for the petitioners is directed to communicate this order to respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.4, the Treasury Officer, Cooch Behar, for necessary compliance.
9. With the above direction, the writ petition being **WPA 681 of 2026** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
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.)