

18.06.2026
Sl. No.13
Ct. No.6
ss

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

W.P.A. No. 826 of 2026

**Laxmi Kanta Narjinary.
Versus
The State of West Bengal & Ors.**

Ms. Taniya Bhowmik

...for the Petitioner.

Mr. Arijit Ghosh
Mr. Samar Rakshit

...for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Report filed by the State-respondent is also 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 gratuity and arrear pension amount @ 18% per annum from date following the date of death of the deceased employee till the date of actual payment.
4. The petitioner contends that his wife namely, Late Mala Narjinary was an Assistant Teacher in Mathabhanga Girls High School, District Coochbehar, who died-in-harness on 22nd March, 2022. The Pension Payment Order was issued on 31st July, 2025. The gratuity and arrear pension amount has been disbursed on 4th August, 2025. However, no interest on delayed payment of gratuity

and arrear pension was disbursed in favour of the petitioner. Hence, this writ petition.

5. Ms. Taniya Bhowmik, learned Advocate for the petitioner submits that the petitioner is the husband of the deceased employee who died-in-harness on 22nd March, 2022. There is considerable delay in disbursement of the gratuity and arrear pension amount and as such, the petitioner is entitled to interest on delayed payment of gratuity and arrear pension amount.
6. Mr. Arijit Ghosh, learned Advocate for the State submits that the pension payment order could not be issued after demise of the deceased employee since the petitioner himself submitted the pension papers only on 12th June, 2024 after 2 years 2 months. On receipt of the pension proposal, the case was processed and the pension payment order was issued on 31st July, 2025.
7. It appears that there is delay on the part of the petitioner in submitting the pension papers of the deceased employee.
8. Accordingly, this Court is of the view that the petitioner is entitled to interest from the date following the date of submission of pension papers of the deceased employee till the actual disbursement of the amount, i.e, on 4th August, 2025.
9. In view of the above, respondent No.2, the Director of Pension, Provident Fund and Group Insurance

and respondent No.3, the Treasury Officer, Coochbehar-II are directed to disburse interest @ 8% per annum on gratuity and arrear pension amount in favour of the petitioner from the date following the date of submission of the pension papers of the deceased employee till the date of actual payment within a period of six weeks from date of communication of this order.

10. Learned advocate for the petitioner is directed to communicate this order to respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No., the Treasury Officer, Coochbehar-II, for necessary compliance.
11. With the above direction, the writ petition being **WPA 826 of 2026** stands disposed of.
12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
13. Interim order, if any, stands vacated.
14. All connected applications, if any, stand disposed of.
15. There shall be no order as to costs.
16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
17. 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.)