

15.06.2026
Sl. No.22
Ct. No.6
gd

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

**WPA/839/2026
IVY BARUA (CHAMLING)
VS
THE STATE OF WEST BENGAL AND 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. By the present writ petition the petitioner seeks direction upon the respondent authorities to disburse the interest on gratuity and arrear pension amount from the date following the date of death of the concerned employee till the date of actual payment at the rate of 18% per annum.
3. The petitioner contends that her husband, was an Assistant Teacher of Monay Dara Tribul Primary School, P.O.-Takdah, District-Darjeeling. The petitioner's husband died in harness on 13th May, 2023. The pension payment order was issued on 24th June, 2024. The gratuity and arrear pension was disbursed on 12nd July, 2024.

However, no interest on the aforesaid amount has been paid. Hence this writ petition.

4. Ms. Taniya Bhowmik, learned advocate for the petitioner submits that there is a delay in disbursement of the aforesaid amount and as such the petitioner is entitled to receive interest on the delayed payment of gratuity and arrear pension. She seeks for appropriate orders.
5. Mr. Arijit Ghosh, learned advocate for the State leaves the matter to the discretion of this Court.
6. From the aforesaid contentions made in the writ petition, it is found that there is considerable delay in disbursement of the gratuity and arrear pension amount. 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, West Bengal and respondent no. 3, the Treasury Officer, Darjeeling are directed to disburse the interest at the rate of @ 8% per annum on the gratuity and arrear of pension from the date following the

date of death of the concerned employee 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, Darjeeling, for necessary compliance.
9. With the aforesaid directions, the writ petition being **WPA 839 of 2026** is 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.)