

16.06.2026
Sl. No.8(DL)
Ct. No.6
srm

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

**W.P.A. No. 874 of 2026
Deepa Rai
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. 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 @ 18% per annum from date following the date of retirement till the date of actual payment.
3. The petitioner contends that she was a Head Teacher of Dipli Gaon Primary School, P.O. Pipli, District-Darjeeling. The petitioner retired from service on superannuation on 31st December, 2024. The Pension Payment Order was issued on 4th March, 2025. The pensionary benefits including gratuity and arrear pension was disbursed to the petitioner on 22nd March, 2025. However, no

interest on delayed payment of gratuity and arrear pension amount was disbursed in favour of the petitioner. Hence, this writ petition.

4. Ms. Taniya Bhowmik, learned Advocate for the petitioner submits that the petitioner is entitled to get retiral benefits from the date following the date of her retirement. The gratuity and arrear pension amount was paid to the petitioner after lapse of more than two months. As such the petitioner is entitled to receive interest on such delayed payment of gratuity and arrear pension.
5. Mr. Arijit Ghosh, learned Advocate for the State submits that as Pension Payment Order has been issued within almost two months and retiral benefit was paid to the petitioner within three months, there is no such delay and therefore, the writ petition should be dismissed in *limine*.
6. From the contention made in the writ petition, it is found that the petitioner retired from service on superannuation on 31st December, 2024. The amount towards gratuity and arrear pension amount has been disbursed on 22nd March, 2025. As such there is delay of more than two months in disbursement of the aforesaid 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. Hence, the petitioner is entitled to interest on the aforesaid amount of gratuity and arrear pension.

7. In view of the above, respondent No.2, the Director of Pension, Provident Fund and Group Insurance and respondent No.3, the Treasury Officer, Darjeeling 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 retirement till the date of actual payment within a period of six weeks from date of communication of this order.
8. 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.3, the Treasury Officer, Darjeeling, for necessary compliance.
9. With the above direction, the writ petition being **WPA 874 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.)