

10.06.2026
Sl. No.9
Ct. No.6
gd

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

WPA/703/2026

**MAMATA SARKAR SENGUPTA
VS
THE STATE OF WEST BENGAL AND ORS.**

Ms. Esha Acharya

...for the Petitioner.

Mr. Samar Rakshit

Ms. Rajani Singh Dev

...for the State.

1. Affidavit of service filed by 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 petitioner's husband till the date of actual payment.
3. The petitioner contends that her husband, namely, Subhabrata @ Shubhabrata Sengupta was an Assistant Teacher of Ratherhat B.F.P. School under Maynaguri North Circle, District-Jalpaiguri. The petitioner's husband died in harness on

2nd January, 2024. The pension payment order was issued on 18th February, 2025. The gratuity and arrear pension was disbursed on 18th February, 2025. However, no interest on the aforesaid amount has been paid. Hence this writ petition.

4. Ms. Esha Acharya, learned advocate for the petitioner submits that the gratuity and arrear pension was disbursed after almost 11 months and as such the petitioner is entitled to receive interest on such amount due to delay on the part of the disbursing authority. She seeks for appropriate orders.
5. Mr. Samar Rakshit, learned advocate for the State leaves the matter to the discretion of this Court.
6. It is found from the contention in the writ petition that there is delay of 11 months in disbursement of the gratuity and arrear pension amount. Hence, the petitioner is entitled to interest on the delayed payment of the aforesaid amount.
7. Accordingly, respondent no. 2, the Director of Pension, Provident Fund and Group Insurance, West Bengal and respondent no. 5, the Treasury Officer, Jalpaiguri II

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 deceased employee till the date of actual payment. Such payment is to be made within a period of six weeks from the date of communication of this order.

8. Learned advocate appearing for the petitioners 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. 5, the Treasury Officer, Jalpaiguri II, for necessary compliance.
9. With the aforesaid directions, the writ petition being **WPA 703 of 2026** 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.)