

Form No.J(2)
Sl. No. 05
S.Barman

**In the High Court at Calcutta
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

Present: The Hon'ble Justice Aniruddha Roy

WPA 1650 OF 2026

Subhendu Das Mahapatra

Vs.

The State of West Bengal & Ors.

For the Petitioner : Ms.Taniya Bhoumik, Adv.
Ms. Jonaki Saha, Adv.

For the Respondent State : Ms. Mrinmayee Das, Adv.
Ms. Manisha Dutta, Adv.

Heard on : August 12, 2026

Judgment on : August 12, 2026

[In Court]

Aniruddha Roy, J.

Affidavit-of-service, filed in Court today, is taken on record.

Ms. Taniya Bhoumik, learned Advocate with Debajit Kundu, learned Advocate appears for the petitioner.

Ms. Mrinmayee Das, learned Advocate with Ms. Manisha Dutta appears for the respondents State.

The petitioner was an approved Reader of Ananda Chandra College Librarian, District - Jalpaiguri. He has retired from his employment on 30.06.2005.

The Pension Payment Order was issued by the concerned respondent on 29.06.2006. The petitioner had received pension and gratuity under the Pension Payment Order on 28.09.2012.

Under **ROPA Rules, 2019**, there was a revision of Pension, Gratuity and computation of Pension of the pensioners under the **Government Notification/Memorandum bearing No.73-SE(B) IM-4/2009 Dated May 19, 2009** and the revised **Pension Payment Order** of the petitioner under **ROPA, 2019** was issued on **28.09.2012** at **page 12** to the writ petition.

The petitioner now claims interest for the delayed payment of the said revised gratuity and arrear pension on and from **May 19, 2020**.

It is trite that, the pension, which is lawfully payable to an employee is its property and if there is any delay in making such payment and the disbursement thereof in favour of such employee, such an employee is eligible and entitled to receive interest.

In view of the above, the respondents and/or the Director of Pension, Provident Fund and Group Insurance and the concerned Treasury Officer are directed to pay interest on the **revised gratuity** and **revised arrear pension @ 8% per annum** on and from **May 19, 2020** till the date of actual payment being received by the petitioner in terms of the **revised Pension Payment Order**.

The entire exercise as directed above, shall be carried out and completed positively by the respondents and/or the **Director of Pension, Provident Fund**

and Group Insurance and the concerned Treasury Officer within a period of **eight weeks** from the date of communication of this order. **In default**, the said arrear amounts and the entitlement of the petitioner shall carry an **additional interest of 2% per annum** till the date the petitioner actually receives the same.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

On the above terms, this writ petition being **WPA 1650 of 2026** stands **disposed of**, without any order as to costs.

Urgent photostat certified of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)

S. Barman, P.S.