

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-28075-2013

Date of decision : 23.03.2015

SURINDER PAL SINGH

...Petitioner

V/S

STATE OF PUNJAB & ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. V. K. Shukla, Advocate
for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

Prayer in the present petition filed under Article 226 of the Constitution of India, is for issuance of direction to the respondents to pay interest @ 12% per annum on the delayed payments of retiral benefits.

It is contended that petitioner had joined the service as Constable in the Police Department, Punjab on 24.07.1975 and retired on 30.06.2013 on attaining the age of superannuation. His pension payment order, gratuity pay order and commutation of pension order were issued by Accountant General Punjab vide Memo dated 10.07.2013. Thereafter, his retirement benefits were released on 02.12.2013. Aggrieved, the petitioner served a legal notice dated 05.12.2013 for redressal of his grievance i.e. non payment of interest on

the delayed payments, however, the same has not been decided so far.

On the other hand, learned State counsel has filed reply on behalf of respondent Nos.1 and 2 in the Court, which is taken on record and submits that the wife of petitioner namely Surinder Kaur had moved an application before respondent No.2 not to release the retirement benefit of petitioner and after disposing of the said application an order of gratuity amount of petitioner was passed on 06.08.2013 and on 06.08.2013 no anticipation certificate was issued by the respondent No.2 to Treasury Office, Barnala. Then Treasury Office, Barnala in his reply states that the petitioner had retired from Moga and he opted to withdraw his pension at Barnala. For the withdrawal of the pension, the petitioner had opted State Bank of Patiala Branch, Barnala. On receipt of said option the answering respondent forwarded his case to the said Bank and thereafter it is the sole responsibility of the said Bank to make payments to the petitioner.

Heard.

Keeping in view the facts and circumstances, the present petition is dismissed. However, petitioner is at liberty to raise claim, if any, against the State Bank of Patiala Branch, Barnala which is not a party before this Court.

23.03.2015

ashok

**(JITENDRA CHAUHAN)
JUDGE**

Whether referred to reporter= yes/no ?