IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-9007-2014 (O&M)
Date of decision : 09.04.2015

Darshan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

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

Mr. Luvinder Sofat, AAG, Punjab.

<u>JITENDRA CHAUHAN, J. (Oral)</u>

Prayer in the present writ petition filed under Articles 226 and 227 of the Constitution of India, is for the release of the balance amount of General Provident Fund (G.P.F.) of the petitioner, consequent upon his retirement from service.

The learned counsel for the petitioner refers to Annexure P-1, the statement of GPF, for the year 2011-12, wherein, the balance has been reflected to the tune of Rs.2,84,020/-. It is contended that the petitioner has been paid Rs.1,57,664/- after debiting all the refundable/non-refundable advances from the GPF advanced to the petitioner from 01.04.1980 to 31.10.2012. Subsequently, another amount of Rs.66,484/- was sanctioned as full and final payment towards the GPF. Therefore, as against the amount of Rs.2,84,020/-

mentioned in Annexure P-1, only the amount of Rs.2,24,148/- has been given to the petitioner whereas, Rs.59,872/- are still to be released.

On the other hand, the learned State counsel submits that the petitioner had withdrawn an advance of Rs.65,000/-, in the month of May, 2010. After adding the interest, the same comes out to be Rs.75,488/-. However, due to mistake, this advance amount of Rs.65,000/-, was not reflected in the GPF statement for the years 2010-11 and 2011-12, which has been subsequently deducted in the Final Statement of GPF. After final settlement/adjustment, the payment amount of Rs.2,24,148/-, on account of Final Statement of GPF has been paid to the petitioner.

Heard.

The learned counsel for the petitioner has not denied the factum of taking advance of Rs.65,000/-, from his GPF account in the month of May, 2010. After adjusting the same, the total amount payable to the petitioner towards his GPF account has been determined as Rs.2,24,148/-, payment whereof to the petitioner is also admitted.

It is only on account of bona fide mistake that the amount of Rs.65,000/- was not reflected in the statement earlier issued by the respondents. However, in the final statement, the mistake stands rectified and the entire payment has been advanced to the petitioner accordingly.

In this view of the matter, this Court does not find any merit in the present petition and the same is accordingly dismissed.

09.04.2015 **(JITENDRA CHAUHAN)**
atulsethi **JUDGE**