IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9403 of 1998 (O&M)
Date of Decision:- 9.5.2016.

Kaushalya Devi

......Petitioner

Versus

State Bank of Patiala

.......Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

1. **Whether Reporters of local papers may be allowed to see the judgment?**
2. **To be referred to the Reporters or not?**
3. **Whether the judgment should be reported in the Digest?**

Present: Mr. Gian Chand Garg, Advocate for the petitioner.

Mr. H.N. Mehtani, Advocate for the respondent.

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P.B. BAJANTHRI, J.

The respondent-Bank has filed an affidavit pursuant to the order dated 23.12.2015. The same is taken on record. With the consent of both the counsel, the matter is heard. The petitioner is wife of Late Shri D.D. Singla (Shri Durga Dass Singla). It is stated that petitioner's husband had retired as SMGS-IV on 31.8.1987. He died on 10.3.1990. He had the benefit of Provident Fund. The Bank introduced Pension Scheme on 1.11.1993. Regulations were issued in the year 1995, namely, State Bank of Patiala (Employees) Pension Regulations 1995 (for short 'the Pension Regulations, 1995). The

Pension Regulations, 1995 provides for refund of Provident Fund contribution made by the respondent Bank for the purpose of availing the benefit of pension or family pension. Deceased Singla could not exercise the option under the Pension Regulations, 1995 for the reasons that he was not alive as on that date. Therefore, the petitioner-wife of deceased employee exercised option. The petitioner is prepared to refund the Provident Fund along with 6% interest per annum as per Regulation 7 (b) of the Pension Regulations, 1995. The petitioner's claim is that she is entitled to interest on family pension. The same was opposed by the respondent counsel contending that there is no provision of law for granting interest on family pension in respect of belated claims under the Pension Regulations, 1995. In view of these facts and circumstances, the petitioner is directed to refund the Provident Fund received by her late husband along with 6% interest to the respondent-Bank within a period of four weeks. After receipt of Provident Fund along with 6% interest per annum, the respondents are directed to calculate family pension and release family pension along with interest @ 6 % per annum within a period of four weeks.

Civil Writ Petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

May 9, 2016.
sandeep sethi