

CWP No.10679 of 2015

Date of Decision: May 09, 2016

Harish Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sunil Kumar Bhardwaj, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

Mr. Deepak Malhotra, Advocate
for respondent No.3.

DEEPAK SIBAL J. (ORAL)

The petitioner who on attaining the age of superannuation, retired from service on 31.12.2014, through the present petition, has sought to release of his retiral benefits under the following four heads:-

- (i) General Provident Fund;
- (ii) Death-cum-Retiral Gratuity;
- (iii) Leave Encashment;
- (iv) Pension.

Learned counsel for the petitioner, on instructions from the petitioner states that death-cum-retiral gratuity was paid to the petitioner by the office of respondent No.2 on 22.07.2015, leave encashment on 15.12.2015 and arrears of pension on 22.12.2015. He further submits that General Provident Fund for the time when the petitioner served in Municipal Corporation, Faridabad has been paid but he has not received any payment under this head for the service rendered by him in other municipal committees/corporations in the State.

The petitioner retired on 31.12.2014 and his retiral benefits under the afore-referred heads had been released to him after a delay of 07 months to one year. No explanation for the delay is forthcoming and that being so, after three months of the date of his retirement till the date of actual payment of the afore-referred dues, the petitioner shall be entitled for the interest at the rate of 8% per annum.

So far as unpaid portion of the General Provident Fund is concerned, learned counsel for the the petitioner prays for and is granted liberty to move a representation to respondent No.2 for release of the same.

If any such representation for which liberty has been sought and got is made by the petitioner, the same shall be decided by respondent No.2 expeditiously but not later than one month of the receipt of the same by passing a speaking order thereupon and after giving opportunity of hearing to the petitioner.

The writ petition stands disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

May 09, 2016
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