

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 19396 of 2014 (O/M)
Date of decision : 3.11.2016

Wassan Singh

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. A.S. Manaise, Advocate, for the petitioner.

Mr. P.S. Ghuman, Additional A.G. Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

The petitioner, who was working as a Senior Assistant in the office of respondent No. 3, submitted application for premature retirement. He was allowed premature retirement with effect 31.7.2011.

As per the stand of the respondents, the pension documents were submitted in August, 2011, and after filing the said documents, the same were submitted to the office of the Accountant General (A and E), Punjab, and the payment of leave encashment, GPF and DCRG was actually released on 31.3.2012. It also comes out that there was some delay on the part of the District Treasury Office, Pathankot, who did not honour the payment for some time due to paucity of the funds.

I am of the view that whatever may be the reason, the case of the petitioner for pension was required to be processed within three months from the date of submission of the documents i.e. August, 2011. Therefore,

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the State is liable to pay the interest on the delayed payment. PPO was issued in December, 2011. There is delay of about one month after submission of the papers, which is found to be negligible. Therefore, on the payment of pension, no interest is to be paid. For the leave encashment, GPF and DCRG, the payment ought to have been made till 31.10.2011 i.e. within three months after the retirement. Since it is released on 31.12.2011, therefore, on the delayed payment of leave encashment, GPF and DCRG, interest at the rate of 9% per annum is payable, starting from 1.11.2011 till the date of payment i.e. 31.3.2012. The same be released within two months from the date of receipt of certified copy of this order.

The present petition is allowed to the abovenoted extent.

(KULDIP SINGH)
JUDGE

3.11.2016
sjks

Whether speaking / reasoned : No

Whether Reportable : No