

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24876-2013 (O&M)
Date of decision: 08.12.2016

Rajinder Singh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.G.N. Malik, Advocate for the petitioner
Mr.Naveen Sheoran, DAG Haryana

- 1. Whether Reporters of Local Newspapers 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?*

Kuldeep Singh, J. (Oral)

Petitioner retired as Assistant Sub Divisional Engineer from the respondent department on 31.12.2012. He filed the present writ petition for directing the respondents to release the pensionary benefits.

From the reply, it comes out that one charge sheet dated 2.4.2012 is pending against the petitioner. According to the respondents, GIS amount of Rs.27,810/- was released on 12.12.2013, leave encashment of Rs.4,98,800/- was released on 20.3.2014, GPF amount of Rs.2,51,015/- was released on 31.1.2014 and provisional pension of Rs.14,075/- was released on 24.1.2014. All these benefits were required to be released within three months from the date of retirement. That would mean that these should have been released upto 31.3.2013.

Therefore, starting from 1.4.2013, the respondents shall be liable to pay interest @ 9% per annum on these benefits for the delayed payment till the date of payment.

So far as provisional pension is concerned, it comes out that charge sheet was issued on 2.4.2014 and now we are in December 2016. Four years and eight months have elapsed and the department has not yet concluded the said inquiry.

In these circumstances, the respondents are directed to dispose of the said inquiry within three months from the date of passing of the judgment and the follow up action that is to release of the remaining pension, if the petitioner is found entitled to same, shall also be taken within two months after conclusion of the inquiry if the same is decided in favour of the petitioner.

The petition is accordingly allowed.

08.12.2016

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No