

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.3773 of 2016
Decided on : 25.02.2016

Gurvinder Kaur

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

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

G.S. Sandhawalia , J. (Oral)

Petitioner seeks the release of the final payments of G.P.F. along with interest, relying upon Rule 13.28 of the Punjab Civil Services Rules (Vol.-II) along with interest. It is the case of the petitioner that she was appointed as Science Mistress on 20.02.1995 with respondent No.2. She had resigned on 04.06.2008, by depositing the requisite one month's pay, in lieu of notice and all her formalities had been completed and her resignation had been accepted. During her period of service, regular subscription of her G.P.F. had been made. As per the annual statement for the year 2000-01, there was a balance of Rs.92,910/- in her G.P.F. account, to which, she became entitled along with interest. However, the payment has not been made, in spite of a legal notice having been served on 15.12.2015 (Annexure P5).

Counsel for the petitioner submits that he would be satisfied if a direction is issued to decide the legal notice dated 15.12.2015 (Annexure P5) within a time-bound frame.

Notice of motion.

Mr.Avinit Avasthi, AAG, Punjab accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to him.

Keeping in view the limited relief sought, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of, with a direction to respondent No.2 to decide the legal notice dated 15.12.2015 (Annexure P5), within a period of 2 months from the date of receipt of a certified copy of this order. In case the payments are found due and there is no legal impediment, same will be made within a period of 4 weeks, thereafter. In case the same is to be denied, a speaking order be passed and the same be conveyed to the petitioner.

FEBRUARY 25, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE