

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3259-1999 (O&M)

Date of decision: 20.03.2017

Nanne Ram

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Ashish Grover, Advocate for the petitioner
Mr.R.S.Pathania, DAG Punjab

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?*

Kuldip Singh, J. (Oral)

Petitioner who was working as a Driver with the respondent department sought voluntary retirement w.e.f. 31.3.1998 and was so voluntarily retired. Petitioner in the present writ petition, which was filed in the year 1999, claimed that he has not been paid his pension, gratuity, GPF, GIS and leave encashment. He should be paid the said retiral benefits along with interest @ 18% per annum.

The reply of the respondents Nos.1 to 4 shows that the pension case of the petitioner was sent to the office of Accountant General, Punjab on 9.12.1998 and after removing objections again submitted on 6.4.1999. GPF was sanctioned only on 29.4.1999 and petitioner was informed via Telegrams dated 5.7.1999, 28.7.1999 and 29.7.1999 (Annexure R5, R6, R7) respectively. But he did not turn up to collect the same. The pension case is pending before Accountant General, Punjab and is likely to be sanctioned shortly. The final payment of GIS has been made vide copy of the letters

dated 9.12.1998 and 6.4.1999.

I have heard learned counsel for the parties and have also carefully gone through the file.

It comes out that though the petitioner sought voluntary retirement but till the filing of the present writ petition, his retiral benefits were not released. In case of voluntary retirement, the government is given three months time to complete all the papers and sanction all the retiral benefits. Since, these were not paid within three months, therefore, starting three months from the date of voluntary retirement of the petitioner, he is entitled for the interest @ 9% per annum till date of payment.

The petition is allowed accordingly.

20.03.2017

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No