

**204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.10901 of 2013 (O&M)

Date of decision : May 04, 2017

Bimaldeep Singh

..... Petitioner

Versus

Panjab University and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Vivek Chauhan, Advocate for the petitioner.

Mr. Deepak Agnihotri, Advocate for the respondents.

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 ?

KULDIP SINGH J. (ORAL)

The petitioner worked as Lecturer in Panjab University, Chandigarh from 04.09.1998 to 20.04.2006. An extraordinary leave for six months was granted to the petitioner so as to enable him to join Guru Nanak Dev University, Amritsar, which later on was extended by another six months. Vide letter dated 12.03.2007, the petitioner resigned from Panjab University, Chandigarh and requested for transfer of his entire service record to the Guru Nanak Dev University, Amritsar. He also mentioned the Provident Fund Account Number.

The GPF, gratuity, DCRG and pro-rata pension were transferred to the Guru Nanak Dev University, Amritsar. However, the petitioner claims interest on the delayed payment of GPF and transfer of gratuity and DCRG to Guru Nanak Dev University, Amritsar.

So far as GPF is concerned, an additional affidavit dated 10.04.2017, shows that the same was transferred to Guru Nanak Dev University, Amritsar in February, 2009 along with interest upto April 2008.

The interest is otherwise yearly payable. Therefore, no further interest is payable on the transferred amount of GPF.

Regarding DCRG, additional affidavit shows that the same along with other arrears have also been transferred to Guru Nanak Dev University, Amritsar. Since it is transferred from one institute to other and keeping in view the fact that the Panjab University, Chandigarh, took time to get the approval from Senate, no interest is payable on the DCRG.

Regarding the leave encashment, as per Rule 17.3 of the Panjab University Calendar, Volume-III, leave encashment is payable only in case of retirement or voluntarily retirement. The case of resignation is not covered. Since the petitioner has resigned from the Panjab University, Chandigarh, no leave encashment is payable.

Since, the pro-rata pension has been transferred to Guru Nanak Dev University, Amritsar, no further payment is required to be paid.

As such, the present petition is disposed of.

(KULDIP SINGH)
JUDGE

May 04, 2017

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Whether speaking / reasoned Yes

Whether Reportable: No