

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

Sr. No.256

Civil Writ Petition No.14753 of 2016
DECIDED ON: September 20, 2017

SUDERSHAN KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Gagandeep Kaur, Advocate for
Mr. Amit Chopra, Advocate,
for the petitioner.

Ms. Akanksha, Assistant Advocate General, Punjab.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of an appropriate writ, order or direction especially in the nature of Mandamus directing the respondents to release the Gratuity, Leave Encashment, General Provident Fund, amount due under the Group Insurance Scheme which became due on retirement of the petitioner as well as respondents further directed to release the arrears of salary due to the petitioner on her promotion as Multi Purpose Health Supervisor (F) from May 23, 2012 onwards and thereafter refix her pension along with interest @ 10%.

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2. At the very outset of the arguments, it has been submitted by learned counsel for the petitioner that all the retiral benefits have been released/disbursed to the petitioner during the pendency of instant petition after a considerable delay but no interest on delayed payments has been paid by the respondents.

3. Undoubtedly, payments have not been made immediately after the retirement and there is a considerable delay. It can be said that there was no fault on the part of the petitioner for submission of documents etc. rather the matter remained with the respondents. There is no plausible explanation furnished by the respondents for inordinate delay in releasing/disbursing the retiral benefits to the petitioner, who stood retired on January 31, 2016 on attaining the age of superannuation.

4. In the foregoing facts and circumstances, instant petition has rendered infructuous as far as grant of retiral benefits is concerned. However, respondents are directed to pay interest @ 9% per annum after an expiry of three months from the date of retirement till the actual payment of different dues has been made. The amount shall be calculated by the respondents and paid to the petitioner within a period of two months from the date of receipt of a certified copy of this order.

5. On failure of aforesaid amount, petitioner shall be at liberty to approach this Court.

September 20, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**