

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

CWP No.2750 of 2016 (O&M)

Date of decision : May 05, 2017

Neelam

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Jyoti Sareen, Advocate for the petitioner.

Mr. Anshul Gupta, AAG, Punjab.

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 retired from service on 30.11.2013 from the Government Senior Secondary School, Jandoli, District Hoshiarpur.

The claim surviving for consideration is for release of interest on the delayed payment of retiral benefits.

In the reply, it is stated that the amount of GPF and DCRG was paid to the petitioner on 27.06.2014 and the amount of leave encashment was paid on 28.05.2014.

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

Learned State counsel has argued that the petitioner was promoted as Principal on 28.07.2013 and she gave the option of fixation of pay on 10.09.2013. However, the pay was fixed after her retirement on 10.02.2014.

It is further stated that the pension papers were submitted by the petitioner only 11 days before her retirement, whereas it was required to

be submitted six months prior to the retirement. She herself was the Principal and the controlling officer.

After considering the submission of the learned State counsel, assuming that the pension papers were submitted 11 days before the retirement, the State can take maximum four months in place of three months from the date of retirement of the petitioner to complete the process. As in the reply, it is stated that the sanction of GPF amount was granted on 17.02.2014, therefore, the respondents shall be liable to pay interest @ 9% per annum on the delayed payment of DCRG, arrears of pension, arrears of salary, GPF and leave encashment etc., starting four months from the date of retirement till payment.

As such, the present petition is allowed.

(KULDIP SINGH)
JUDGE

May 05, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No