

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.25853 of 2017

Date of Decision: 13.11.2017

Gurdev Singh

... Petitioner

Versus

State of Punjab & ors.

... Respondents

**CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Prateek Pandit, Advocate,  
for the petitioner.

**JASPAL SINGH, J.(Oral)**

1. By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to pay the full payment of GPF and General Insurance Scheme (GIS) to him, which have been withheld by the respondents and 18% interest on delayed payments of retiral benefits such as gratuity, leave encashment, GPF and GIS till actual date of payment after retirement.

2. Indisputedly, the petitioner stood retired on attaining the age of superannuation on 30.09.2015. Since the retiral benefits were not released especially the GPF and the amount of GIS, the petitioner constrained to serve legal notice upon the respondents on 02.08.2016, in pursuance of which part of GPF, gratuity and leave encashment were released, but a part of the GPF and amount of GIS are still pending. The same have not been released. Again the petitioner moved a fresh representation on 30.09.2017 (Annexure P-4) but after the expiry of a period of approximately 1½ months, no action has been taken. Learned counsel further submits that the petitioner feels satisfied in case a direction is given to respondents, to release the remaining

retiral benefits and the factum of grant of interest on the delayed payment be considered by the concerned authorities.

3. Without expressing any opinion on merits of the case but considering the aforesaid facts of the case that the petitioner is entitled to the balance amount of the GPF and GIS, instant petition is disposed of with a direction to respondent No.2-Chief Engineer (Canals), Irrigation Works Department, Punjab, Chandigarh, to look into the grievances unfolded by the petitioner in representation dated 30.09.2017 (Annexure P-4) and release the necessary benefits within a period of two months from the date of receipt of a certified copy of this order. Since it appears that the delay is on the the part of the respondents, the factum of grant of interest in view of judgment passed by Full Bench of this Court in case ***A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*** as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as ***Charan Dass vs. State of Punjab & Ors.*** decided on July 11, 2017, be also considered on delayed payment(s).

4. However, in case, petitioner still feels aggrieved of the order passed by concerned authority, he shall be at liberty to approach this Court.

13.11.2017  
monika

(JASPAL SINGH)  
JUDGE

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*