

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 29484 OF 2017
DECIDED ON: DECEMBER 21, 2017

AVTAR SINGH AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Karambir Singh Kahlon, Advocate,
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature mandamus, directing the respondent to pay GPF to petitioners No.1 and 2, to pay gratuity, general provident fund and funds of group insurance scheme to petitioners No.3 and 4 and further to direct the respondent to pay GPF, leave encashment, gratuity and funds of group insurance scheme of petitioner No.5, along with interest to the tune of 18% per annum along with all other consequential retiral benefits from the date of their retirements on account of delayed payment.

2. The contention of learned counsel for the petitioners is that petitioners No. 1 & 2 retired in the month of December 2015, petitioner No.3 & 4 retired in the year 2016 and petitioner No.5 retired in the year 2017, on attaining the age of their superannuation. Further at the time of their retirement

neither any judicial proceedings nor any departmental inquiry are pending against either of the petitioners but till date all the retiral benefits have not been released to the petitioners.

3. Learned counsel for the petitioners submits that even representation dated 17.05.2017 (Annexure P-1) was also moved to the respondents but till date no conscious decision has been taken. He further submits that petitioners feel satisfied in case direction is issued to respondent(s) to decide aforesaid representation, within a stipulated period.

4. The instant petition is disposed of with the direction to respondent(s) to look into the grievances unfolded by the petitioners in their representation dated 17.05.2017 (Annexure P-1) and to decide the same, within a period of three months from the date of receipt of certified copy of this order.

5. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as ***“R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318*** as well as Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

6. However, if the petitioners still feel aggrieved against any of the order(s) passed by the concerned authority, they shall be at liberty to approach this Court.

DECEMBER 21, 2017
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>