

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.48 of 2017 (O&M)

Date of Decision: January 12, 2017

Satish Chand Sharma

.....Appellant

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Onkar Singh, Advocate, for the appellant.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The appellant was due for retirement on attaining the age of superannuation on 30.04.2013. He was holding the post of Store Supervisor. The appellant was granted one year's extension in service as per the Government Policy which he completed on 31.03.2014. Though the Government Policy provided for further extension for another one year but the appellant did not opt for it. In the normal course, all his retiral benefits including 90% GPF, for which he had applied in time, ought to have been released while he was still serving under the first extension. The authorities, however, released such benefits in July, 2014 only. The appellant's claim to pay interest on the delayed payments has been turned down by the learned Single Judge observing that it was not a case of any serious lapse on the part of the authorities including respondent No.3 who was impleaded in person.

We have heard learned counsel for the appellant. There is no

doubt that once the GPF was sanctioned by the Competent Authority on 31.01.2014, respondent Nos.2 & 3 had no authority to with-hold or delay its release. His allegations that there was a deliberate delay are thus not totally unfounded. Since the said payment was made to the appellant well before he approached this Court, we are not inclined to burden the authorities with exemplary costs or interest component. However, it is appropriate to put a word 'caution' that if in a given case, it would be found in future that the authorities including respondent no.3 are habitual for deliberate delay in releasing the retiral benefits, this Court would be constrained to take a serious view of the matter.

We thus do not deem it necessary to interfere with the order under appeal.

Dismissed.

[SURYA KANT]
JUDGE

January 12, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No

LPA No.48 of 2017 (O&M)

[3]

CM No.79 of 2017 in
LPA No.48 of 2017

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Satish Chand Sharma versus State of Punjab and others

Present : Mr.Onkar Singh, Advocate,
for the applicant-appellant.

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For the reasons mentioned in the application, the same is
allowed subject to all just exceptions and 08 days delay in filing the appeal
is condoned.

CM stands disposed of.

(SURYA KANT)
JUDGE

January 12, 2017
mohinder

(SUDIP AHLUWALIA)
JUDGE