

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

Sr. No.126

Civil Writ Petition No.13210 of 2018
DECIDED ON: May 23, 2018

AVTAR SINGH WALIA

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amrik Singh, Advocate,
for the petitioner.

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 issuance of a direction to the respondents to pay the interest on the delayed payment of retiral benefits and payment of GIS amount which has not been paid so far along with interest @ 18% per annum from the date of accrual till actual realization of the same.

2. Learned counsel for the petitioner contends that petitioner stood retired as SDE on attaining the age of superannuation on 31.08.2017, the retiral benefits except GIS have been released/disbursed to him but after an inordinate delay for which no interest has been granted, which is violative of the Instructions No.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab as well as law laid down by the Full Bench of

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this Court in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*. He further contends that petitioner moved a legal notice dated 06.04.2018 (P-3) to the respondents but till date no final decision has been taken by the concerned authority. He also feels satisfied in case a direction is issued to respondents to consider his case with regard to release of amount on account of GIS as well as grant of interest on the delayed payment in the light of aforesaid instructions as well as judgment in a time bound manner.

3. Instant petition is disposed of with a direction to respondents to consider his case with regard to release of amount on account of GIS as well as grant of interest on the delayed payment in the light of aforesaid instructions issued by the Government of Punjab as well as judgment, within a period of two months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him within a period of next one month.

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

May 23, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**