

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

CWP No.25530 of 2014 (O&M)

Date of decision: 18.01.2018

Balwinder Singh

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Shailendra Sharma, Advocate for the petitioner(s).

Mr. Suvir Sheokand, Addl. A.G., Punjab.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, under Articles 226/227 of the Constitution of India, the petitioner seeks issuance of directions to respondent No.3 to release the final GPF amount of Rs.12,65,002/- along with interest which has been sanctioned by respondent No.2 at the first instance on 25.07.2014 and then on 11.11.2014.

Petitioner, a Platoon Commander, was convicted in FIR registered under Section 13(i)(d)(ii) of Prevention of Corruption Act and under Sections 409, 420, 466, 468, 471 and 120-B of IPC by the Court of Special Judge, Ludhiana, vide judgment dated 30.03.2013. Subsequently, the petitioner was dismissed from service by respondent No.2. The appeal against the judgment of conviction is pending adjudication before this Court whereas the sentence of the petitioner has been suspended. The

main relief for grant of GPF amount has already been granted, however, the calculation done by the competent authority is not as per record.

On the other hand, learned State counsel states that the competent authority has released the amount of GPF along with interest to the petitioner, therefore, the present petition has been rendered infructuous.

Heard.

As per reply dated 30.03.2017/07.04.2017, filed by the State, all the due amount of GPF along with interest have already been granted to the petitioner. As the main relief has already been granted to the petitioner, therefore, the present petition is dismissed.

However, keeping in view the submission made by learned counsel for the petitioner that the calculation with regard to interest on the GPF amount done by the competent authority is not as per record. In the circumstances, the petitioner is free to file a representation giving the chart of the amount due after detailing the calculation before the competent authority and after receipt of such representation, the competent authority shall look into the same and in case any amount after recalculation found to be due to be paid to the petitioner, the same be paid within a period of three months thereafter.

18.01.2018
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(JITENDRA CHAUHAN)
JUDGE

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