

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-4745-2018

Date of decision: - 04.12.2018

Varinder Kumar

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. S.K. Rattan, Advocate,  
for the petitioner.

Mr. Ayush Sarna, Assistant Advocate General, Punjab.

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**HARSIMRAN SINGH SETHI, J. (ORAL)**

In the present case, the petitioner is seeking to release amount of GPF and GIS, which were not being released after his retirement on 28.02.2017. The prayer is for the release of the said amount along with interest @ 12% per annum.

During the course of hearing today, counsel for the petitioner admitted that the amount on account of GPF and GIS have already been released to the petitioner, but the same has been released after a delay. Therefore, the petitioner is entitled for the interest on GPF amount as well as on GIS amount.

Counsel for the petitioner states that the petitioner retired on 28.02.2017, whereas, the GPF amount was released to him on 19.03.2018

and GIS amount was released on 16.02.2018 i.e. after a delay of more than one year. Apart from this, even the gratuity was released to the petitioner on 16.05.2017 and leave encashment was released on 19.06.2017.

Counsel for the petitioner further states that the petitioner is entitled for the interest on the delayed payments in view of the judgments of this Court in **A.S. Randhawa Vs. State of Punjab and others, 1997 (3) SCT 468** and **J.S. Cheema Vs. State of Haryana 2014(13) RCR (Civil) 355**. He further states that the petitioner will submit a representation giving all the above-mentioned details to the respondents within a period of four weeks from today and he will be satisfied, at this stage, if a direction is given to the respondents to decide the same in a time bound manner.

After hearing the learned counsel for the parties, going through the record, the present writ petition is disposed of by observing that in case any representation is filed by the petitioner for claiming the interest, the respondents shall decide the same by passing a speaking order. While passing the speaking order, the respondents shall keep in mind the judgments of this Court passed in **A.S. Randhawa case (supra)** and **J.S. Cheema case (supra)**, for the grant of interest on the delayed payment.

Let the order be passed within a period of two months from the date of receipt of copy of representation. In case after the decision, it is found that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of one month thereafter.

It is made clear that this Court does not express any opinion on the merits of the case and also about the entitlement of the petitioner.

Present writ petition stands disposed of.

**December 04, 2018**

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**( HARSIMRAN SINGH SETHI )  
JUDGE**

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|----------------------------|-----|
| Whether reasoned/speaking? | Yes |
| Whether reportable?        | No  |