

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

**CWP No. 8481 of 2019**

**Date of Decision : 29.03.2019**

**Sikander Singh**

**...Petitioner**

**Versus**

**State of Punjab and others**

**...Respondents**

***CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present: Mr. Pardeep Kumar, Advocate for the petitioner.

\*\*\*

**Harsimran Singh Sethi, J.(Oral)**

In the present writ petition, the petitioner is seeking interest on the delayed release of pensionary benefits such as GPF, Gratuity etc.

Learned counsel for the petitioner states that though the petitioner retired in June, 2015, but the payment of the gratuity was released to the petitioner on 08.09.2018. Learned counsel states that there was no impediment in the release of the gratuity as the same was being withheld only on account of registration of an FIR. Learned counsel for the petitioner further states that though the cancellation report had already been submitted in the said FIR and as the charges were not framed, it could not have been taken that criminal proceedings were pending against the petitioner so as to entitle the respondents to withhold the gratuity. Learned counsel for the petitioner states that the petitioner is entitled for interest on the delayed release of the gratuity and other benefits. Learned counsel

further states that for the relief, which has been claimed in the present writ petition, the petitioner has made representation dated 12.12.2018 (Annexure P-7) to the respondents, which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the representation by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the representation, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the representation dated 12.12.2018 (Annexure P-7) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

**March 29, 2019**  
*kanchan*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned?*      *Yes/No*  
*Whether reportable?*                *Yes/No*