

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

**CWP-385-2020**

**Date of decision: - 09.01.2020**

**Lalita Prasad**

**....Petitioner**

**Versus**

**Union of India and others**

**.....Respondents**

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

Present:- Mr. Vikrant Attri, Advocate,  
for the petitioner.

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

Learned counsel for the petitioner states that though, in the present writ petition, the petitioner is claiming the interest upon the delayed release of leave encashment and General Provident Fund, but at the time of arguments, the claim for the grant of interest has been restricted only to the delayed release of the General Provident Fund, which was released in his favour on 21.09.2019 though he had retired from service on 31.08.2018.

Learned counsel for the petitioner states that there was no impediment in the release of the GPF, but as there is a delay of more than one year, petitioner becomes entitled for the grant of interest on the said

delayed payment keeping in view the law laid down by the Full Bench of this Court in 'A.S. Randhawa Vs. State of Punjab and others', 1997(3) SCT 468 wherein the time limit of two months has been fixed for the release of the pensionary benefits.

Counsel for the petitioner further states that for the relief which is claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 14.10.2019 (Annexure P-2), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

Notice of motion.

Keeping in view the advance copy supplied to the respondents, Ms. Neha Sharma, Advocate, accepts notice on behalf of the respondents and she states that the respondents have no objection in case the prayer of the petitioner for deciding the legal notice dated 14.10.2019 (Annexure P-2) in a time bound manner is accepted.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 14.10.2019 (Annexure P-2) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case, after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of three months thereafter.

It is made clear that the legal notice dated 14.10.2019

(Annexure P-2) only to be considered qua the claim of the delayed payment of the GPF.

Present writ petition stands disposed of.

**January 09, 2020**  
naresh.k

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

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