

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

**CWP No.6534 of 2022
Date of Decision:-30.03.2022**

Joginder and others

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present:- Mr. Jagjeet Beniwal, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI J.(Oral)

Prayer in the present petition is for directing the respondent authorities to release the amount of GPF to the petitioners alongwith interest @18% per annum from the date of their retirement till its realization to them.

Learned counsel for the petitioners argues that the General Provident Fund, for which the petitioners are entitled for after their retirement, has not been released to them even without being any valid justification.

Learned counsel for the petitioners submits that as per the judgment of the Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468*, an employee is entitled for the release of pensionary benefits within a period of two months from the date

of retirement in case there is no impediment. Learned counsel for the petitioner submits that there is no impediment in the case of the petitioners but still the GPF has not been released and therefore appropriate direction may kindly be given to the respondents to release the same forthwith. Learned counsel for the petitioners further submits that petitioner No.1 has already filed a representation with the respondents qua the said grievance on 24.09.2021 (Annexure P-5) and thereafter reminder dated 14.10.2021 (Annexure P-6) as well was moved but the respondents have not released the benefit and that too without any justification.

Notice of motion.

Mr. Raman Kumar Sharma, Addl. A.G., Haryana accepts notice on behalf of respondents.

Learned counsel for the respondents-State submits that though, a representation has been attached alongwith the present writ petition, but the same is not giving the details with regard to the department and the posting of the petitioner to verify their claim. Learned State counsel further submits that there is no representation received from petitioners No.2 and 3. Learned State counsel submits that in case any comprehensive representation is filed by the petitioners giving the details of their departments and their claims, the same will be decided in a time bound manner by passing an appropriate speaking order.

Faced with this situation, learned counsel for the petitioners submits that the petitioners be allowed to withdraw this petition with liberty to approach the respondents by filing a comprehensive representation raising their claims by giving all the details required for the relief of

General Provident Fund for which the petitioners are entitled for.

Without going into the merits of the case or the claim being made by the petitioners in the present petition, in case any comprehensive representation is filed by the petitioners, the respondent No.3 is directed to decide the said representation within a period of eight weeks from the date of receipt of the said representation. In case, after the decision of the representation, the petitioners are found entitled for any benefits, the same be also extended to them within a period of next four weeks.

March 30, 2022
Vijay Asija

(HARSIMRAN SINGH SETHI)
JUDGE

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