

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(235)

CWP No. 12637 of 2019
Date of Decision : 15.03.2022

Sunehra Singh

...Petitioner

Versus

The State of Haryana and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Mr. Narender Singh Behgal, A.A.G., Haryana.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioner argues that in the present case, the only dispute is that though, the EPF amount remained with the respondents throughout till the same was released to the petitioner but as per the information supplied to the petitioner under RTI Act, the petitioner was not extended the interest on the EPF amount after his services were terminated in November, 2003. Learned counsel for the petitioner submits that the order terminating the services of the petitioner was set-aside and thereafter, the petitioner was deemed to be retired on 31.03.2006 and the pensionary benefits have been released along with interest starting from 31.03.2006 but, the petitioner has not been paid interest on the EPF from

November, 2003 onwards till the date of his retirement i.e. March, 2006. Learned counsel further submits that the said fact has only come to the knowledge of the petitioner after he was given information under the RTI Act in the year 2016 and immediately thereafter, the petitioner approached the respondents by filing a legal notice dated 18.12.2018 (Annexure P-6) claiming the said benefit, which is still pending consideration as of now.

Learned counsel for the respondents submits that the Registrar Co-operative Societies will pass appropriate orders on the legal notice of the petitioner dated 18.12.2018 (Annexure P-6) within a period of eight weeks from today as to whether, petitioner is entitled for the grant of interest on the EPF amount keeping in view the fact that the order terminating the services of the petitioner was set-aside by the Court and in case, the petitioner is found entitled for the interest, the same will also be released. Learned counsel for the respondents seeks eight weeks' time to decide the legal notice and another period of four weeks for release of the benefits in case, petitioner is found entitled for the same.

Learned counsel for the petitioner submits that petitioner is satisfied, at this stage, in case respondents are directed to decide his claim as being undertaken.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondents are directed to decide the legal notice dated 18.12.2018 (Annexure P-6) by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after the decision of the claim of the petitioner, it is found that the petitioner is entitled for the

monetary benefits, the same should also be paid to him within a period of four weeks thereafter.

Present writ petition stands disposed of.

March 15, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No