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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21905-2012
Date of decision: 10.10.2022

BALVIR KAUR AND ANOTHER

...Petitioners

VERSUS

STATE OF PUNJAB AND ORS.

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the petitioners.

Mr. Sehajbir Singh Aulakh, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant writ petition has been filed seeking issuance of a writ in the nature of mandamus directing the respondents to make a payment of interest on delayed payment of GPF amounting to Rs.8,56,390/-.

During the pendency of the writ petition, petitioner-ASI Balbir Singh was stated to have expired and an appropriate application bearing CM-7677-CWP-2016 had been moved under Order 22 Rule 3 CPC to implead the LRs of the deceased-petitioner, which application was allowed on 21.11.2016, subject to all just exceptions. On the very same date, learned State counsel had submitted that the petitioner had already been paid the interest and his LRs were not entitled to any further amount as the deceased-petitioner had not worked after the passing of his order of dismissal dated 16.07.2010 (Annexure P-1). The matter was then adjourned on the request of learned counsel for the petitioner to get necessary instructions. Thereafter, the matter

has been adjourned on one pretext or the other since 22.02.2017. In fact, there was no representation on behalf of the petitioner when the matter was taken up for hearing on 22.11.2018 and 02.04.2019. The matter has been called today for hearing and even today, there is no representation on behalf of the petitioners. It seems that the petitioners herein are not interested in pursuing with the instant matter.

Consequently, the instant writ petition is dismissed for non-prosecution. In case, any grievance of the LRs of the deceased-petitioner still survives, they would be at liberty to revive the instant writ petition within a period of three months from today.

10.10.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No