

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(219)

CWP-12340-2017

Date of Decision : March 23, 2022

Tejinder Kaur

.. Petitioner

Versus

State of Punjab and others

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Madhav Pokhrel, Advocate, for the petitioner.

Mr. Kannan Malik, Assistant Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed for the grant of interest on the delayed release of the GPF amount.

Learned counsel for the petitioner argues that the petitioner was appointed as a Science Mistress with the respondents on 06.03.1992 and thereafter, her services were terminated by the respondents on 05.03.2013 w.e.f February, 2010 as the petitioner had abandoned her job and was absent. Learned counsel for the petitioner submits that after the termination of the services, the petitioner was entitled for the employees share of GPF, which was actually released to her in the year 2016 and therefore, the petitioner is entitled for interest on the delayed released of the GPF amount.

Upon notice of motion, the respondents have filed the reply wherein, the respondents have stated that the petitioner never approached the respondents for the release of the GPF fund and for the first time, a request was received from her on 10.06.2015 after which, her request was processed and GPF fund was released to her keeping in view the time taken for processing of the said application and therefore, the delay in release of the GPF is attributable upon the petitioner and not upon the respondents.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The services of the petitioner were terminated on the ground of absence from job.

The petitioner did not attend the duties upto the date of termination of her services, thereafter, it is a conceded fact that for the very first time, she had approached the respondents for the release of the employee's share of the GPF in June, 2015 after which her request was processed and the same was released. That being so, it cannot be said that delay is attributable to the respondents-Department rather, the same is attributed to the petitioner, which will not entitle the petitioner to claim the interest as being prayed in the present petition.

No ground is made out to grant the interest to the petitioner as being prayed in the present petition.

Accordingly, the present petition is dismissed.

March 23, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes