

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

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CWP No.26569 of 2022

Date of decision: 21.11.2022

Savitri Devi

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. S.S. Siao, Advocate, for the petitioner.

VIKAS SURI, J. (Oral)

This petition has been preferred under Article 226/227 of the Constitution of India, praying for issuance of a writ in the nature of mandamus, directing the respondents to pay interest @ 12% per annum on delayed payment of the terminal benefits, i.e. Death-cum-Retirement Gratuity and General Provident Fund.

It is submitted that the petitioner's husband died in harness on 19.06.2017 while working as a Peon with the office of the second respondent. Death-cum-Retirement Gratuity (DCRG) and General Provident Fund (GPF) were released at a much belated stage and that too without payment of any interest for the delayed payment of arrears.

Learned counsel, on instructions from the petitioner, submits that the petitioner would be satisfied, at this stage, in case the present petition is considered as a representation and the claim raised therein is decided in a time bound manner. A representation dated 20.07.2021 (Annexure P-3) seeking interest on the delayed payment was also made to the second respondent. He relies upon the law settled by the Full Bench judgment rendered in ***A.S. Randhawa vs. State of Punjab and others***, 1997(3) SCT 468 (F.B.) and by a coordinate

Bench in *J.S. Cheema vs. State of Haryana and others*, 2014 -
(13) RCR (Civil) 355.

Notice of motion to the limited extent.

Ms. Ambika Bedi, AAG, Punjab, accepts notice on behalf of respondents and waives service. She submits that the respondent No.2/Competent Authority will look into the matter and will consider the representation as well as the present petition, as a consolidated representation and take a decision thereon, in accordance with law, by passing a speaking order within the stipulated time.

Heard learned counsel for the parties.

Without expressing any opinion or going into the merits of the case or the claim being made by the petitioner in the present petition or in the representation, respondent No.2/Competent Authority is directed to consider and decide the claim made in the present petition by treating it as a consolidated representation, including the representation dated 20.07.2021 (Annexure P-3), in accordance with law, by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of this order.

Needless to observe that in case, after the decision, petitioner is found entitled for any benefits, the same be paid to him within a period of four weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

November 21, 2022
vcgarg

Whether speaking/reasoned:	Yes
Whether reportable:	No