

CWP-4595-1999

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2023:PHHC:121356

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CWP-4595-1999

Date of Decision :-14.09.2023

Raj Kumar Gupta

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

Mr. Harish Rathee, Senior DAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

None appears on behalf of the petitioner.

In the present petition, claim of the petitioner is that he is entitled for grant of interest on the delayed release of pensionary benefits to him.

In reply, the respondents have submitted that though, the petitioner attained the age of superannuation and retired on 31.05.1996 but up to the said date, no pension papers were submitted by the petitioner for the release of his pensionary benefits and the pension papers were only submitted by him on 10.12.1996 and after the submission of the pension papers, the same were processed for the release of the benefits. As per the rules governing the aspect of release of pensionary benefits, six months time is needed for the process of the documents so as to release the pensionary

benefits and in the present case, within the said period of six months of the submission of pension papers by the petitioner, all the pensionary benefits have been released to the petitioner hence, delay which has occurred in the release of the pensionary benefits, same is attributable to the petitioner and not to the respondent-department.

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

The facts mentioned in reply have gone uncontroverted at the hands of the petitioner. As per the facts, despite attaining the age of superannuation on 31.05.1998, the petitioner did not fill up the required pension papers, which are supposed to be filled up six months prior to the retirement so that on the date of retirement, an employee can get the pensionary benefits. As in the present case, pension papers were submitted by the petitioner on 10.12.1996 i.e. after six months of retirement and pensionary benefits were released to him on 20.05.1997 i.e. within six months of submission of pension papers, there is no delay on the part of the respondents for releasing the pensionary benefits to the petitioner so as to grant him the benefit of interest on the said delayed release of the pensionary benefits.

Keeping in view the facts and circumstances noticed hereinbefore, no ground is made out to grant the relief as claimed in the present petition and the writ petition is accordingly dismissed.

September 14, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No