

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

219

**CWP-6092-2018 (O&M)
Date of Decision: 28.07.2023**

Surjit Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Ms. Aruna Sachdeva, Advocate for the petitioner.

Mr. R.K. Kapoor, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J (ORAL)

CM-2148-CWP-2023

This is an application for placing on record the replication along with Annexures P-7 and P-8.

Application is allowed, as prayed for.

CWP-6092-2018

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to pay interest on the delayed payment of GPF amount.

2. The short point involved in the present petition is whether the petitioner is entitled to interest for the delayed payment of GPF amount for the intervening period from 30.06.2014 to 21.07.2015 i.e. the date when the same has been released.

3. Learned counsel for the petitioner submits that the order of the retirement of the petitioner had been communicated to the concerned GPF Department much prior to his retirement and GPF Department was required to

release the amount immediately after the date of retirement of the petitioner.

4. Learned State counsel in his reply has admitted that the petitioner had submitted form-10 for final payment of GPF fund on 31.10.2014. The petitioner was himself Drawing & Disbursing Officer and he is to be held responsible for not collecting the data regarding refundable and non-refundable GPF loan and verification was to be done for missing credits and therefore, the petitioner is not entitled for interest.

5. I have heard learned counsel for the parties at length and have considered the submissions.

6. While the petitioner may be a Drawing & Disbursing Officer and holding a responsible post in the Department, the GPF Department is required to get all the requisite data from the concerned places so that the amount is released timely. It is also noticed that the respondents-Department sanctioned petitioner's GPF on 30.04.2015 and the letter was sent on 11.06.2015. The petitioner had retired on 31.05.2014 but GPF amount was released on 21.07.2015. Since there is a delay of almost one year and two months, which remains unexplained, the petitioner would be entitled to receive interest on the said amount. The GPF amount carries a higher interest rate than that with the bank.

7. Keeping in view the aforesaid findings, the present petition is allowed. The petitioner would be entitled to interest for the delayed period on the amount of Rs.18,16,564/- for the period from 30.06.2014 to 01.07.2015, at the same rate as paid to him for one month. The respondents are directed to release the said interest to the petitioner within a period of two months from today.

28.07.2023

D.Bansal

(SANJEEV PRAKASH SHARMA)
JUDGE

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