



CWP-12323-2020 (O&M)

1

214

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-12323-2020 (O&M)

Date of Decision: November 22, 2024

Usha Rani

.... Petitioner

Versus

Union of India and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Abhishek Sahu, Advocate for
Mr. B. S. Bhalla, Advocate
for the petitioner.

Mr. Rajesh Hooda, Advocate
for respondent No.2.

Mr. B. S. Seemar, Advocate
for respondent No.3.

Mr. Dhirinder Chopra, Advocate
for respondent Nos. 5 and 6.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. In the present petition, the benefit of gratuity as well as Provident Fund and the consequent pension is being claimed by the petitioner.

2. On 25.01.2023 the following order was passed:-

“It has been submitted by the learned counsel appearing on behalf of respondents No. 5 and 6 that the amount of gratuity to which the petitioner is entitled, they are already ready to pay and even prior to the filing of the petition, they had prepared a cheque in this regard and they are still willing to pay the same by issuing a fresh cheque with fresh date but it is because neither the petitioner came to receive the cheque nor she has provided any account number so that the money could have been transferred in her name through RTGS.

Mr. Rajesh Hooda, Advocate appearing on behalf of respondent No.2-Employees Provident Fund has submitted that the petitioner is



required to fill up the requisite form so that further process can be carried out for the purpose of payment of provident fund and pension to the petitioner but the same has not been done by the petitioner.

Mr. Shivender Pal Singh, Advocate appearing on behalf Mr. B.S. Bhalla, Advocate for the petitioner has stated that a short accommodation may be granted to him so that he can talk to the petitioner and complete the formalities in this regard.

In view of the above, the matter is adjourned to 14.02.2023.”

3. Learned counsel for the respondents submits that the petitioner has not approached the authorities concerned so as to fulfill the requisites for the release of the benefit being claimed by the petitioner and till the said requisites are not completed the benefit claimed by the petitioner cannot be released. Delay is only on the part of the petitioner to claim the benefit admissible to her.

4. Learned counsel for the petitioner submits that the petitioner will complete the requisites so as to get the benefit from the respondents within a period of four weeks from today and the respondents be directed to consider the same and release the benefit.

5. Learned counsel for the respondents submits that within a period of eight weeks of completion of formalities by the petitioner, all the requisite benefits for which the petitioner is entitled for, will be released to her.

6. Ordered accordingly.

7. Learned counsel for respondent Nos. 5 and 6 submits that the cheque in favour of the petitioner is already ready, and the same can be sent by registered post but it will be in the interest of justice that the petitioner comes and collect the same. In case the petitioner wants that the same be sent by registered post, the same be conveyed and the cheque already prepared will be sent on the address conveyed to the authorities concerned.



- 8. Ordered accordingly.
- 9. The present Writ Petition is disposed of in the above terms.

November 22, 2024

archana

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned

Whether Reportable

Yes

No