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2024:PHHC:011087

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-27590-2022

Date of decision: 29.01.2024

DIAL CHAND

...PETITIONER

Vs.

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Dr. Naresh Kaushik, Advocate
for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through the instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 15.11.2022 (Annexure P-6) whereby petitioner was directed to deposit amount of GPF, GIS and Pensionary benefits which he has withdrawn at the time of retirement. The petitioner is further seeking direction to respondents to adjust benefits released at the time of retirement against the salary of extended two years service.

2. The petitioner joined Punjab Police on 20.07.1992 as a Constable. The petitioner attained age of superannuation i.e. 58 years on 31.01.2022. The petitioner was entitled to various retiral benefits. The respondents released retiral benefits i.e. GPF, GIS, leave encashment etc. to the petitioner. He sought extension of two years service in terms of State Government Policy dated 19.11.2014. The respondent-State extended benefit of two years additional period of service and asked the petitioner to deposit aforesaid retiral benefits within one week. The petitioner did not deposit aforesaid retiral benefits with the respondent-State within stipulated period.

3. Counsel for the petitioner concedes that petitioner has never returned retiral benefits which he received at the time of his superannuation on attaining the age of 58 years, however, submits that he was interested to continue his service and he had requested to adjust retiral benefits against salary to be paid in the forthcoming years.
4. The petitioner has turned 60 years on 27.01.2024 and in view of extension letter, he had to retire on 31.01.2024. The petitioner concededly has not returned retiral benefits which he received on attaining the age of 58 years. The petitioner has turned 60 years and he has not worked during previous two years.
5. In the wake of the fact that petitioner did not return retiral benefits which was a precondition to grant extension of two years and now he has turned 60, the petitioner cannot be granted any relief especially when he has not actually worked during the said period.
6. Dismissed.

29.01.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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