



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

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CWP-5062-2019 (O&M)
Date of decision: 17.09.2025

Vijay Kumar

....Petitioner

Versus

State of Punjab and others

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. G.P.S. Bal, Advocate
with Mr. K.S. Nagra, Advocate
for the petitioner.

Mr. Vikas Arora, DAG, Punjab.

Mr. Parambir Singh, Advocate
for respondent No.3.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for setting-aside/quashing/modifying the sanctioning letter No.GPF. 3(6) P. 2018/370 dated 15.03.2018 (Annexure P-5) and speaking order dated No.G.P.F. 3(6), 2018/941 dated 15.05.2018 (Annexure P-6) issued by respondent No.2 whereby respondent/Corporation released the amount of GPF to the tune of Rs.5,23,639/- only and did not make the payment of interest on account of the delayed payment. Further a writ of *mandamus* has been sought, directing the respondent/Corporation to grant interest @ 18% per annum for the delayed payment of GPF.



2. Learned counsel for the petitioner submits that the petitioner was appointed as Computer Operator on 11.04.1980 and FIR No.21 dated 22.12.1998 was registered against the petitioner under Section 7, 13(2) of Prevention of Corruption Act, 1988, at Police Station Vigilance Bureau, Phase-I, Mohali, the then District Ropar. Thereafter, the petitioner was dismissed from service by the respondent/Corporation on 20.06.2005 and later on, he was acquitted on 29.01.2019. Thereafter, the petitioner was reinstated into the service and his suspension period and absence period was treated as duty period vide order dated 20.11.2019. The petitioner was given all service benefits, promotions, etc. from the date of his suspension till his retirement. Thereafter, he was superannuated on 31.03.2019 and on account of non-payment of GPF amount, he approached this Court by filing a petition i.e. CWP-17406-2017, which was disposed of on 23.01.2018 with a direction to the concerned competent authority to pass a speaking order. Learned counsel for the petitioner refers to the order passed by this Court on 26.02.2019 and order dated 20.04.2023 and submits that the respondents are directed to pay interest upto the date of actual realization by this Court on 20.04.2023.

3. Learned State counsel has filed additional affidavit of Dr. Hitinder Kaur, Director Department of Health and Family Welfare, Punjab, on behalf of respondents No.1 and 2, which is taken on record. He submits that all admissible retiral dues have been paid to the petitioner and interest has been paid upto 30.04.2018.



4. Having heard learned counsel for the parties and after perusal of the record, it transpires that the claim of the petitioner is confined only to the extent of claiming interest on the delayed payment of GPF amount. This Court on 26.02.2019 has passed the following order:-

As per the averments made in the petition, petitioner was dismissed from service vide order dated 20.06.2005 on account of conviction for offence under the Prevention of Corruption Act, 1988. Petitioner raised a plea for release of GPF amount. Requisite amount having not been released, petitioner was constrained to file CWP No. 17406 of 2017 and which was disposed of on 23.01.2018 with a direction to the concerned/competent authority to pass a speaking order as regards his claim. Purportedly acting in compliance of the directions issued by the writ Court a sum of Rs. 5, 23, 639/- towards GPF has been released to the petitioner but in the month of May, 2018. Instant petition has been filed claiming interest on the delayed release of GPF amount. Notice of motion returnable for 05.07.2019.

Further on 20.04.2023, this Court has passed the following order:-

Counsel for the petitioner submits that even though the interest has been paid but only up to 23rd of January, 2018 when the directions were issued in CWP No.17406 of 2017.

Respondents are directed to pay interest uptill the date of actual realization.

Adjourned to 18.12.2023.



5. There is no denial to the fact that the actual payment was made on 22.01.2021, as such in terms of the direction issued by this Court on 20.04.2023, the respondents are required to pay interest upto the date of actual realization.

6. In view of the above, the present petition is disposed of. The respondents are directed to calculate interest @ 6% per annum from the due date till the date of actual realization and release the same within a period of three months from the date of receipt of certified copy of this order.

(HARPREET SINGH BRAR)
JUDGE

17.09.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No