



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

**CWP-15575-2022 (O&M)**  
**Date of Decision : 28-02-2025**

**LAKHWINDER SINGH AND ANOTHER**

**.....Petitioner(s)**

**VERSUS**

**STATE OF PUNJAB AND OTHERS**

**.....Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present:        Mr. Amrik Singh, Advocate  
                     for the petitioners.

Mr. Malkiat Singh, DAG Punjab.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

1.                In the present petition, the grievance being raised by the petitioners sons is that their father namely Chet Singh was murdered by their mother on 31.07.1989 and the amount with regard to the service benefit, were not released to the petitioners, who were minor at the time of the death of the employee and the same benefit was released only after the delay hence, the petitioners sons are entitled for the grant of interest.

2.                Upon notice of motion, the respondents Nos.1 to 3 have filed their reply. In the reply, the respondents have submitted that no application was received from anyone claiming the service benefits as, the wife of the deceased employee has already been convicted for the murder of the deceased employee.

3. Learned counsel for the respondents submits that the petitioners sons despite attaining the age of maturity, no application was received and as and when, the legal heir certificate dated 29.03.2005 (Annexure P-2) along with the legal notice dated 15.03.2015 (Annexure P-1) to release the retiral benefits and for compassionate appointment was made, the retiral benefits were released to the petitioners hence, the question of grant of interest does not arise as, there is no delay attributable to the respondent-Department.

4. I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

5. The interest can only be given in case, there is a delay which is attributable to the Department. In the present case, facts and circumstances show that no claim was raised by the petitioners even after attaining the age of maturity for the grant of service benefit in respect of the service rendered by their deceased father. Further, as and when the claim regarding the retiral benefits were raised, the same was considered and the retiral benefits were released in the year 2015, 2019 and 2021 hence, the claim of the grant of interest on the amount released, is not made in the facts and circumstances of the present case as the petitioners have failed to prove that the delay was attributable to the Department.

6. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

7. Present petition is dismissed.

8. In case, any amount which was liable to be paid to the petitioner and was lying with the Provident Fund Authorities and same generate interest till the said amount is released, the petitioner will be free to

approach the said authorities for the grant of interest in case, the same has not been paid to the petitioners.

9. Pending application, if any, also stands disposed of.

28-02-2025

Sapna Goyal

**(HARSIMRAN SINGH SETHI)**

**JUDGE**

NOTE:

Whether speaking: YES

Whether reportable: NO