

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.21153 of 2014
Date of Decision:- 26.04.2016

Madhu Vohra

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rajesh Arora, Advocate
for the petitioner.

Mr. Hitesh Pandit, Additional Advocate General, Haryana.

Mr. D.D. Gupta, Advocate
for respondent No.4.

RITU BAHRI, J. (Oral)

Pursuant to the directions given by this Court in CWP No.23564 of 2012 titled as Madhu Vohra Vs. State of Haryana and others, vide order dated 20.11.2013, the petitioner has been granted the retiral benefits in terms of 6th Pay Commission.

Petitioner is seeking directions to release the benefit of leave encashment as per the decision rendered in CWP No.11373 of 2003 (O&M) titled **Chanda Singh Pehal** Vs. **State of Haryana** dated 03.12.2012 (Annexure P-4). This judgment has been affirmed by the LPA Bench in LPA No.1545 of 2013, vide order dated 01.10.2013.

Learned State counsel has argued that whether the State is liable to reimburse the arrears of leave-encashment under the grant-in-aid scheme is pending consideration before the Hon'ble Supreme Court. This fact has been observed by the LPA Bench while dismissing the LPA and the directions has been given to the Management to pay arrears of leave-encashment to the retirees, however, without prejudice to their right to seek reimbursement from the State under the grant-in-aid Scheme if such a right is granted to the Management by the Hon'ble Supreme in the pending case.

In view of above facts, the case of the petitioner is squarely covered by the judgment in **Chanda Singh Pehal case (supra)** (Annexure P-4) and the present writ petition is allowed in the same terms.

April 26, 2016
naresh.k

(**RITU BAHRI**)
JUDGE