

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

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**CWP No. 8246 of 2016 (O&M)
Date of decision: 02.05.2016**

Rajesh Kumar and others

....Petitioners

Versus

HMT Machine Tools Limited

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

1. Whether Reporters of local papers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr.Lalit Sharma, Advocate for the petitioners.

P.B. Bajanthri, J. (Oral)

In the instant petition, the petitioners have prayed for a direction to the respondent to release payment of earned leave encashment which are due to them.

The petitioners are stated to have retired from service during the period from 2011 to 2015 on various dates which are mentioned in the legal notice dated 16.03.2016 (Annexures P1 and P2). For non-settlement of leave encashment, counsel for the petitioners issued notice to respondent. The respondent has not taken any action despite the fact that some of the petitioners have retired in 2011, 2013, 2014 and 2015 and in identical matters reliefs sought by similarly situated persons have been granted.

Learned counsel for the petitioner submitted that the respondent is releasing leave encashment dues of the employees who ever approached this Court. He has pointed out Annexure P-3 as well as CWP

No. 7281 of 2012. The respondent is directed to examine each of the

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petitioners' claim for leave encashment within a period of one month. In case, each of the petitioners are found entitled to the relief claimed, grant the same to each one of them within 2 months from today.

It is also made clear that if any due relief is not granted to any of the petitioners within the aforesaid period each one of the petitioner is entitled to interest @ 8% per annum from the date of their retirement till the date of payment is made.

CWP stands disposed of.

02.05.2016

pooja saini

**(P.B. BAJANTHRI)
JUDGE**