

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.22076 OF 2003

ORDER:

Heard Mr.Sadu Rajeshwar Reddy, counsel for petitioner and the Assistant Government Pleader for respondents 1 to 4.

The petitioner prays for Mandamus declaring the inaction of respondents in considering and disposing of representation dated 3-4-2003 which was submitted through proper channel requesting for sanction and release of encashment of Earned Leave of 200 days, as illegal, arbitrary and unconstitutional.

The petitioner admittedly retired from service on 30-11-2003.

Mr.Sadu Rajeshwar Reddy, counsel for the petitioner, at the hearing, submitted that the respondents have not considered the representation dated 3-4-2003 much less the grievance canvassed through the representation, namely sanction and payment of 200 days of Earned Leave encashment, is not paid.

The respondents, in spite of receipt of notice, even on the limited prayer of inaction complained by the petitioner, have not filed counter affidavit is filed. As the issue relates to calculation, entitlement and payment of earned leave, more particularly, the prayer is against inaction, I am satisfied to meet the ends of justice that the Writ Petition can be disposed of by this order.

The petitioner is given liberty to resubmit representation dated 3-4-2003 to respondents 2 to 4 by enclosing a copy of this order within six weeks from the date of receipt of a copy of this order. The respondents 2 to 4 are directed to examine the representation and pass order on the request of petitioner. The

respondents if positively decide that the petitioner is entitled to Leave Encashment of 200 days referred to in the representation. The amount shall be paid within three months from such decision. The entire exercise shall be completed within four months from the date of receipt of a copy of this order.

The writ petition is disposed of with the observation indicated above. No order as to costs.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

Dated: 06.04.2017
Dvs



JUSTICE S.V. BHATT