

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

**COCP No. 1606 of 2016 (O&M)
Date of Decision:- 17.01.2017**

Romesh Garg

....Petitioner

vs.

Satish Chandra and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. R.K. Arora, Advocate,

Mr. Nilesh Bhardwaj, DAG, Punjab.

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

DAYA CHAUDHARY, J. (Oral)

C.M. No. 541-CII of 2017

This application is for placing on record counter-affidavit of the petitioner to the short reply filed by respondent No.3.

Application is allowed.

Counter-affidavit is taken on record.

COCP No. 1606 of 2016

An additional affidavit has been filed by respondents in the Court and the same is taken on record.

Learned counsel for the respondents submits that order dated 11.3.2016 passed by this Court has been complied with as all retiral benefits have been released to the petitioner, whereas, learned counsel for the petitioner submits that TDS from the amount of gratuity and leave

encashment has wrongly been deducted and salary for the extended period has not been paid.

Accordingly, the present petition is disposed of with a direction to the petitioner to make representation to respondents within a period of one month.

In case, any such representation is made, the respondents are directed to pass appropriate order in accordance with law by giving opportunity of hearing to the petitioner and after taking into consideration the oral as well as written submissions and also the fact whether TDS can be deducted from the amount of gratuity and leave encashment. The salary for the extended period which has not been released so far be released, if the petitioner has worked during that period or similarly situated employees have been given, within a period of two months from the date of receipt of copy of this order.

Disposed of.

January 17, 2017
poonam

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No