

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

CWP No.11352 of 1999 (O&M)

Date of decision : May 08, 2017

Mahabir Prasad

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. K.L. Dhingra, Advocate for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Heard.

The petitioner was compulsory retired from services vide order dated 02.07.1999 (Annexure P-1) with immediate effect. The claim of the petitioner in the present case is that he has not been granted three months salary in lieu of notice as required under Rule 3.26(d)(ii)(a) read with note 8 of the Punjab Civil Services Rules, Volume-I, Part-I, which is also applicable to Haryana.

Under the said Rule, a Government employee can be retired immediately on payment of three months' pay and allowance in lieu of the notice period.

The respondents neither claimed about any notice which was to be given to the petitioner nor about the salary for three months in lieu of the notice to be paid to the petitioner. Therefore, the present petition is allowed and the respondents are ordered to pay the salary of three months to the

petitioner in lieu of the notice. The same shall be released within two months from the date of receipt of certified copy of this order along with interest @ 9% per annum.

(KULDIP SINGH)
JUDGE

May 08, 2017
sarita

Whether speaking / reasoned Yes

Whether Reportable: No