

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 25308 OF 2017  
DECIDED ON: NOVEMBER 07, 2017

SANATAN DHARAM EDUCATIONAL  
SOCIETY (REGD.) through its President

.....PETITIONER..

VERSUS

STATE OF HARYANA AND ORS.

....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Jain, Advocate  
for the petitioner.

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JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ of mandamus, directing the respondents to reimburse amount of leave encashment paid to retired employees in view of judgments passed in CWP No. 21773 of 2011, CWP No. 11373 of 2003, holding that earned leave/leave encashment is a part of salary. And further for issuance of direction to the respondents to decide legal representation-cum-notice dated 14.02.2017 (P-3) in view of law laid down in 1997 (2) RSJ 168 and Haryana State Litigation Policy, 2010.

2. At the very outset of the arguments, learned counsel for the petitioner submits that though legal representation-cum-notice dated 14.02.2017 (P-3) was moved to the respondents but till date no conscious decision has been

taken. He submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide the aforesaid legal representation-cum-notice, within a stipulated period.

3. Instant petition is disposed of with a direction to respondent(s) to look into the grievances unfolded by the petitioner in legal representation-cum-notice dated 14.02.2017 (P-3) and to decide the same as per Rules and Regulations applicable to the petitioner as well as in the light of judgments passed by this Court in CWP No.21773 of 2011, CWP No. 11373 of 2003 and case titled as “*Ghanshyam Dass v. State of Haryana*, (P&H) (DB), 1997(2) RSJ 168, within a period of three months from the date of receipt of certified copy of this order.

4. However, if the petitioner still feels aggrieved against the order passed by the concerned authority, he shall be at liberty to approach this Court.

NOVEMBER 07, 2017  
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(JASPAL SINGH)  
JUDGE

*Whether speaking/reasoned*    *Yes*

*Whether reportable*                      *Yes/No*