

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 26199 OF 2017
DECIDED ON: NOVEMBER 16, 2017

DEEPAK KUMAR

....PETITIONER..

VERSUS

PUNJAB STATE COOPERATIVE SUPPLY
AND MARKETING FEDERATION LTD.,
MARKFED, CHD. AND ANOTHER

....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

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 in the nature of mandamus, directing respondent No.1 to release leave encashment with interest @ 18% per annum from the date of its accrual till its actual realization.

2. At the very outset of the arguments, learned counsel for the petitioner submits that though representation dated 27.01.2017 (Annexure P-3) was moved to the respondent but till date no action has been taken. Subsequently, legal notice dated 25.10.2017 (Annexure P-4) was also served upon the Managing Director, Markfed, Chandigarh but it also did not fetch any reply nor payment on account of leave encashment has been made till date. He submits that petitioner feels satisfied in case direction is issued to respondents to

consider the aforesaid legal notice, within a stipulated period.

3. Without expressing any opinion on the merits of the case and considering the aforesaid aspects, the instant petition is disposed of with a direction to respondents to consider the case unfolded by the petitioners in his legal notice dated 25.10.2017 (Annexure P-4) and decide the same, by passing a speaking order in the light of Service Rules, Regulations as well as in the light of judgments referred in legal notice and representation, 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 16, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*