

**CWP No.14855 of 2016**

Ankur Goyal  
2018.08.24 15:32  
I attest to the accuracy and  
authenticity of this document  
[1]

\*\*\*\*\*

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

Sr. No.235

**Civil Writ Petition No.14855 of 2016  
DECIDED ON: August 13, 2018**

**RAMESH CHAND**

**..PETITIONER**

**VERSUS**

**STATE OF HARYANA AND OTHERS**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Sanjeev Kr. Panwar, Advocate,  
for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Haryana.

\*\*\*

**JASPAL SINGH, J.**

By virtue of the instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of Mandamus directing the respondents to release the payment of earned leave of 212 days due to him along with interest WITH FURTHER to decide his representation dated 12.07.2016 (P-2) within some specified period.

CWP No.14855 of 2016

\*\*\*\*\*

2. In response to notice of motion, reply dated 16.11.2016 has been filed. The relevant paragraphs of the aforesaid reply reads as under:-

*“That as per Haryana Government instructions issued vide Memo No.11/12/98-4 FR-II dated 12.08.1998 (R-1), the Government employee retiring on superannuation is entitled for leave encashment subject to the maximum limit of 300 days of earned leave, which has already been paid to the petitioner vide this office sanction order dated 08.06.2016. The petitioner retired on 31.05.2016. Accordingly, he is not entitled for leave encashment beyond 300 days of earned leave.*

*It is further submitted that as per Rule 8.2 of Punjab Police Rules and further as per Chapter 8.15 of Punjab Civil Services Rules Vol.-1 (as applicable to Haryana) leave cannot be claimed as a matter of right and the authority empowered to grant leave may refuse it or revoke the leave due and applied for under this rule in the public interest. Hence, the present writ petition deserves to be dismissed.”*

3. In view of above facts, the benefit of 300 days of earned leave has already been extended as per the rules and disbursed to the petitioner. Thus, the claim put forth by the petitioner through the instant petition is not only fallacious but also against the service rules.

4. Hence, instant petition stands dismissed.

August 13, 2018

Ankur

(JASPAL SINGH)  
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No