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

CWP No. 24346 of 2016
Date of decision : 28.09.2018

Laxman Dass Goel and others ......Petitioners

versus

State of Haryana and ors. ...Respondents

CORAM: **HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. R.S. Hooda, Advocate
for the petitioners.

Mr. Hitesh Pandit, Addl. A.G. Haryana

Mr. R.N. Lohan, Advocate
for respondent Nos. 2 and 3.

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RITU BAHRI , J. (Oral)

The petitioners in the present writ petition claims that since the Government Rules are applicable to them, being the employees covered under Rule 43 read along with Annexure A of the Sugar Mills Rules, they are entitled to 300 days leave encashment at the time of their respective retirements.

On notice a reply has been filed on behalf of respondent Nos. 2 and 3 stating therein that the employees of answering respondent mill are entitled to salary for the number of days for which the earned leave is due to him as per Rule 17 (ii) of the Rules and petitioner Nos. 1 and 2 have already encashed their leave encashment of 80 days at the time of their retirement and petitioner No. 3 is still in service. The matter was placed before Board of Director in its meeting held on 18.08.2015 vide agenda No. 10 and the Board resolved as under:-

"May not be approved as the same is against the provision of Rules.

Rule 17(ii) reads as under:-

17 (ii) Earned Leave:- Earned leave shall be admissible to an employee at the rate of one leave for every 20 days work performed in the service of the society. The total earned leave in one calendar year will be 18.

In view of the reply filed by the respondents, no ground is made out for issuance of direction to the respondents to credit 300 days earned leave as per Haryana Government Rules at the time of retirement from the Mills.

The writ petition stands dismissed.

September 28, 2018 **(RITU BAHRI)**
G Arora **JUDGE**

Whether speaking/reasoned ***Yes***
Whether reportable ***No***