

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

Sr. No.109

Civil Writ Petition No.20821 of 2018
DECIDED ON: August 21, 2018

KARNAIL SINGH

..PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.S. Antal, Advocate, for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ particularly in the nature of mandamus directing the respondent No.2 to make up the deficiency of Rs.74,823/- as he is entitled for 10 months salary on the last pay drawn i.e. Rs.42,427/- (B.P. 22330 + DA 20097) as leave encashment, which comes to Rs.4,24,270/- instead of 3,61,797/-, which were paid to him in view of order dated 23.01.2018 along with interest @ 10% p.a.

2. Learned counsel for the petitioner contends that though a representation dated 10.07.2018 (P-3) was made to the respondent No.2 but till date no final decision has been taken thereon. He further contends that petitioner feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid representation (P-3), within some stipulated period.

Civil Writ Petition No.20821 of 2018

3. Taking into consideration the aforesaid aspects of the case, instant petition is disposed of with a direction to respondent No.2 – The Managing director, The Haryana State Cooperative Development Federation Ltd., Bays No.49-52, Sector 2, Panchkula (Haryana) to look into the grievances unfolded by the petitioner in the representation dated 10.07.2018 (P-3) and take a conscious decision by passing a speaking order, within a period of two months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him within a period of next one month. Factum of interest in view of judgment passed by Full Bench of this Court in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as *Charan Dass vs. State of Punjab & Ors.* decided on July 11, 2017 and Instructions No.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab, be also considered on delayed payment(s).

4. However, if petitioner still feels aggrieved by any order(s) of the afore-said authority, he shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

August 21, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**