

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 28289 of 2018

Date of Decision: 02.11.2018

Pawan Kumar

... Petitioner(s)

Versus

The Registrar, Punjab State Co-operative Societies and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Rakesh Kaundal, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Prayer made in the writ petition for release of retiral benefits i.e. leave encashment to the petitioner.

Learned counsel for the petitioner contended that petitioner retired from services on 30.09.2015 and before that, charge sheet was issued to him on 29.09.2015. Learned counsel further contended that as per the decision rendered by the Hon'ble Full Bench of this Court in ***Punjab State Civil Supplies Corpn. Limited and Others v. Pyare Lal (LPA-113-2012, decided on 11.08.2014)***, in case of such employee, who has already been retired, only his gratuity can be withheld but not other retiral benefits. Learned counsel further contended that petitioner has got issued legal notice dated 23.01.2018 (Annexure P5), which is still pending for decision with the respondents.

petitioner is praying for release of his retiral benefits i.e. leave encashment only and as per view taken by the Hon'ble Full Bench of this Court in *Pyare Lal's case (supra)*, it has already been decided that leave encashment cannot be withheld, present writ petition stands disposed of with the directions to the respondents to look into and decide legal notice dated 23.01.2018 (Annexure P5) expeditiously in the light of the aforesaid judgment and preferably within a period of three months.

(Shekher Dhawan)
Judge

November 02, 2018
“DK”

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No