

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(144)

CWP No. 29324 of 2018

Date of Decision : 20.11.2018

Gurdial Singh and others

...Petitioners

Versus

The Principal Secretary, Urban Local Bodies, Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Krishan Singh, Advocate for the petitioners.

Harsimran Singh Sethi, J.(Oral)

The petitioners are retired employees, who have been retired from service within the period starting from the year 1999 till 2005. The grievance which has been raised in the present writ petition is that as per the Scheme/Instructions issued by the Government of Haryana dated 12.08.1998, instead of 240 days, petitioners were entitled for the Leave encashment for 300 days.

It has been averred in the petition that the petitioners have only been paid the Leave encashment for 240 days. The said Scheme/Instructions is being supported on the basis of the judgment passed by this Court in CWP No. 18031 of 2003, decided on 08.08.2008 (Annexure P-3) and judgment passed in LPA No. 1103 of 2011, decided on 01.09.2011 (Annexure P-4).

Learned counsel for the petitioners contends that for the relief, which has been prayed in the present writ petition, the petitioners have served the respondents with a legal notice dated 11.07.2018 (Annexure P-2)

and the same is still pending with the respondents. Learned counsel states that the petitioners will be satisfied, in case a time bound direction is given to the respondents to decide their legal notice dated 11.07.2018 (Annexure P-2) sent to the respondents.

Keeping in view the request made by learned counsel for the petitioners and without expressing any opinion on the merits of the case or the entitlement of the petitioners, the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 11.07.2018 (Annexure P-2) served by the petitioners by passing a speaking order in accordance with law within a period of three months from the date of receipt of certified copy of this order.

The petition stands disposed of accordingly.

November 20, 2018
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(HARSIMRAN SINGH SETHI)
JUDGE

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