

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 10600 of 2019
Date of Decision : 24.04.2019

Ashok Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance which is being raised by the petitioner is that military service, which the petitioner had rendered has not been taken into consideration while computing the earned leave and has sought direction to the respondents to re-compute the earned leave of the petitioner by taking into consideration the military service and pay the arrears of the earned leave alongwith interest.

From the pleadings, it transpires that the petitioner had made representation to the respondents dated 09.12.2017 (Annexure P-6). The same is still under consideration with the respondents. Thereafter the petitioner had sent reminders to the respondents on 30.08.2018 (Annexure P-9) and a representation to the Chief Minister, Haryana on 16.10.2018 (Annexure P-10). Thereafter another reminder was sent to the Chief

Minister, Haryana dated 22.11.2018 (Annexure P-11).

From the pleadings, it emerges that the said representations are still pending consideration with the respondents and have not been decided so far in respect of the claim being made by the petitioner time and again from the respondents for computing his military service for the grant of leave encashment.

Interest of justice will be served, at this stage, in case a time bound direction is given to the respondents to decide the said representations by passing an appropriate speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the representations, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the representations Annexures P-6, P-9, P-10 and P-11 respectively within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

April 24, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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