

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

CWP-12283-2013

Date of decision: - 23.01.2019

Davinder Singh Pannu and others

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rahul Sharma-I, Advocate,
for the petitioners.

Ms. Deepali Puri Sandhu, Additional Advocate General, Pb.,
for respondents No.1 and 2.

Mr. S.C. Nagpal, Advocate,
for respondents No.3 and 4.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for respondents No.3 and 4 states that a cheque bearing No.138187 dated 17.01.2019, amounting to ₹5,83,212/- is being paid to petitioner No.1 as a full and final settlement of the dues for which he has been found entitled for, subject to the litigation pending in the Hon'ble Supreme Court. The said cheque has been handed over to counsel for the petitioners today in the Court and a photocopy of the same has been placed on record, which is marked as 'X'.

Counsel for the petitioners states that though the cheque has been submitted today, petitioner No.1 became entitled for the said amount in 2012, when he retired from the service.

Counsel for respondents No.3 and 4 states that petitioner No.1 became entitled only after the decision was rendered by this Court in CWP No.788 of 2015, which was decided on 28.01.2015.

Counsel for the petitioners states that even if it is assumed for the sake of arguments, petitioner No.1 became entitled for the amount of leave encashment, which has been given by the respondents today in Court, in 2015, still, the same has been released after a period of 3½ years, therefore, petitioner No.1 is entitled for interest on the said amount.

Counsel for the petitioners further states that petitioner No.1 be given a liberty to file appropriate representation with the respondents claiming the said benefit and he prays that a direction be also issued to the respondents to decide the said representation, in case the same is filed, in a time bound manner.

Counsel for the respondents has no objection with regard to the above-said prayer.

In view of the above, the present writ petition is disposed of with the direction that in case any representation is filed by petitioner No.1, within a period of four weeks from today, claiming the interest on the delayed release of leave encashment by the respondents, the same shall be decided by the respondents by passing an appropriate speaking order, within a period of three months from the date of receipt of any such representation. In case after the decision, it is found that petitioner No.1 is

entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

January 23, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No