

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 25543 of 2016
Date of Decision : 19.03.2019

Sarjit Singh and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: None for the petitioners.

Ms. Safia Gupta, A.A.G., Haryana.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance which is being raised by the petitioner is for the grant of leave encashment in respect of the employees working in the Government Aided Privately Managed Colleges.

Notice of motion was issued on 09.12.2016.

Since April, 2017, no one appeared on behalf of the petitioner. Even on the last date of hearing, no one appeared on behalf of the petitioner.

Learned State counsel states that the Instructions have been issued by the Government of Haryana on 14.08.2018 deciding that in view of the order passed by this Court in CWP No. 12179 of 2011 dated 10.11.2016, leave encashment will be given to the employees of the privately managed colleges on the basis of the calculation of earned leaves

w.e.f. 09.04.1987.

A similar case bearing CWP No. 9252 of 2017, which also involves the same question of law, came up for hearing before this Court and the same was disposed of on 24.1.2019 in which following order was passed :-

“Prayer made in this petition is for releasing the payment in respect of earned leave at the time of retirements of the petitioners, who are employees of the Aided Colleges.

Learned counsel for the respondents has placed on record a letter dated 14.8.2018 by which the Government of Haryana has decided to extend the benefit of grant of encashment of earned leave to the employees of the Government Aided Private Colleges at par with the counterparts working with the Government Colleges. Said leave encashment benefit is to be given in terms of calculation of earned leave w.e.f 09.04.1987 and as per Instructions issued in this respect from time to time thereafter. Further, the amount to be paid as leave encashment is to be shared in the ratio of 95% to be paid by the State Government and the remaining 5% by the concerned College.

In view of the above, present writ petitions have been rendered infructuous and are disposed of as such.

It is expected that the cases of all the petitioner(s) on the basis of orders being passed by the Government of Haryana in this regard, who have become entitled for grant of the benefit of leave encashment, will be processed expeditiously and the payment will be released within a period of four weeks from the receipt of certified copy of this order.

In case, the petitioners have any other grouse including grant of interest, they shall be at liberty to file appropriate representation with the respondents.”

Learned counsel for the respondents states that the present writ petition can also be disposed of in the same terms.

Even though there is no representation on behalf of the petitioners, but as the claim of the petitioners stands admitted by the respondents, the present writ petition is disposed of in terms of the order passed by this Court in CWP No. 9252 of 2017, decided on 24.01.2019.

March 19, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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