

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8904 of 2017

Date of decision: 16.09.2019

Usha

.... Petitioner

versus

State of Haryana and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Singal, Advocate
for the petitioner.

Mr. C.S. Bakhshi, Addl. A.G. Haryana and
Ms. Nidhi Garg, AAG, Haryana.

Mr. Amit Rao, Advocate for
Mr. Anurag Goyal, Advocate
for respondents No.3 and 4.

HARSIMRAN SINGH SETHI, J.

Counsel for the parties are agreed that question of law raised in the present writ petition has already been decided by this Court in CWP No.12179 of 2011 titled as **K.L. Johar and others vs. State of Haryana and others**, which judgment has already attained finality. After the decision in **K.L. Johar's** case (supra), certain other writ petitions involving the same question of law being CWP No.25727 of 2016 titled as **Jasmer Singh vs. The State of Haryana and others** and other connected cases came up for hearing before this Court on 02.05.2019 and these writ petitions were disposed of keeping in view the fact that the State of Haryana had issued a letter dated 14.08.2018 allowing the benefit of leave encashment to the employees of Government Aided Private Institutions as well. The relevant

part of the said letter is as under:-

“Keeping in view the Judgment of Hon'ble Punjab and Haryana High Court in CWP No.12179 of 2011 dated 10-11-2016, the State Govt. has decided to grant the benefit of encashment of earned leave to all Govt. Aided Private Colleges (Teaching and Non-Teaching) employees at par with their counterpart working in Govt. Colleges. The leave encashment benefit will be given on the basis of calculation of earned leaves w.e.f. 09-04-1987, and as per Govt. instructions issued from time to time thereafter. The amount of leave-encashment will be borne to the extent of 95% by State Government and 5% share shall be contributed by the management of College.”

In **Jasmer Singh's** case (supra) the State Government stated that letter dated 14.08.2018 is also applicable upon the Department of Technical Education and the benefit of leave encashment will be awarded keeping in view the letter dated 14.08.2018 to the petitioners therein.

Counsel for the parties are agreed that the present writ petition is also squarely covered by the decision rendered in CWP-25727 of 2016 titled as **Jasmer Singh vs. The State of Haryana and others** and the present petition may be disposed of in the same terms.

Keeping in view the request made by learned counsel for the parties, present writ petition is disposed of in terms of order passed in CWP No. 25727 of 2016 titled as **Jasmer Singh vs. The State of Haryana and others.**

(HARSIMRAN SINGH SETHI)
JUDGE

16.09.2019
aarti

- | | | |
|----|--------------------------------|--------|
| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |