

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

**CWP No. 30504 of 2019**  
**Date of decision: 22.10.2019**

OP Manchanda

....Petitioner(s)

Versus

Central Bank of India and others

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr. Vipul Sachdeva, Advocate,  
for the petitioner.

**G.S.SANDHAWALIA, J. (Oral)**

The petitioner, in a petition filed under Articles 226 and 227 of the Constitution of India, prays for release of the leave encashment due to him alongwith interest @ 18% per annum from the due date till the date of realisation in view of circular dated 27.06.2018 (Annexure P-1). Reliance is also placed upon the judgment of the Full Bench of this court in ***UCO Bank and others vs. Anju Mathur, 2013 (3) SCT 272*** in this regard.

It is the contention of the counsel that the petitioner was compulsorily retired on 25.01.2001 from the Branch Office, Sector 17-B, Chandigarh as a Senior Manager and his notional date of retirement was 31.01.2001. He had a credit of 65 days of privilege and 30 days leave earned during the period ending 2000 and the benefit of leave encashment was not allowed to him at that point of time. The respondent-Bank has now issued circular dated 27.06.2018 (Annexure P-1) whereby, it has been decided by the higher authorities that the employees who have been awarded punishment of compulsory retirement prior to 30.04.2015, their

cases will be considered by General Manager, HRD at Central Office for the benefit of the leave encashment. It is submitted that representation dated 21.07.2018 (Annexure P-2) has already been filed. Vide letter dated 4/5.09.2018 (Annexure P-3), the respondents as such inter se communicated that the recommendations of the Branch Head and the copy of the Administrator order be sent so that the matter could be proceeded further. A reminder was further sent on 19.12.2018 (Annexure P-4) to respondent no. 1, but no action has been taken in spite of over 9 months having expired.

Counsel submits that he would be satisfied if a time bound direction is given to respondent no. 1 to decide the representations keeping in view the above controversy.

Without commenting on the merits of the case and since the decision making process is still incomplete at the hands of the respondents, this Court does not deem it fit to call upon the respondents to file response.

Accordingly, the present writ petition is disposed of with directions to respondent no. 1 to take a decision on the above said representations within a period of 2 months from the date of receipt of certified copy of the order. If the claim as such is payable, the same be disbursed to the petitioner expeditiously. In case it is to be denied, a speaking order be passed and communicated to the petitioner.

22.10.2019  
shivani

(G.S. SANDHAWALIA)  
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No