

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

**CWP No.1639 of 2020 (O&M)
Date of decision : January 22, 2020**

Ajaib Singh

..... Petitioner

Versus

**Punjab Water Resources Management &
Development Corporation Limited and others**

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jugam Arora, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that the petitioner was entitled for the leave encashment of maximum admissible limit of 300 days, which benefit has not been extended to the petitioner despite the fact that the petitioner had 573 days leave in his account. The petitioner has been allowed the encashment of the leave up to 270 days only. The prayer of the petitioner is that respondents are liable to be directed to grant the petitioner the benefit of remaining 30 days as well, for which the petitioner is entitled under the Rules governing the service.

Further prayer of the petitioner is that the subsistence allowance, for the suspension period from 23.05.2012 till 10.12.2012, has been paid to the petitioner on 15.11.2017 i.e. after approximately 5 years and therefore, the said amount, which has been paid to the petitioner in November, 2017, should also carry interest. Prayer of the petitioner is for issuance of direction to the respondents to grant the petitioner the abovestated relief of interest, for which he is entitled under the Rule.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has already served the respondents a legal notice dated 28.03.2018 (Annexure P-8), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the same by passing an appropriate speaking order in accordance with law.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.2 is directed to decide the legal notice dated 28.03.2018 (Annexure P-8), by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

January 22, 2020

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Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No