

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-14566-2021 (O&M)
Date of Decision: 03.08.2021

Dalbir Singh

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. DS Gandhi, Advocate for the petitioner

Mr. Ayush Sarna, AAG Punjab

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of restrictions due to outbreak of COVID-19 pandemic.

The petitioner - a retired police officer, has filed the present writ petition *inter alia* seeking a direction to the respondents to release his 4 years' increment; wrongly deducted earned leave of 75 days and the due amount from 13.04.2015 to 29.04.2015 which period of 17 days was counted towards leave.

It is contended that as per ACP scheme introduced by the Government, the petitioner was entitled to the benefit of 4 years' increment. He had also claimed for the benefit of earned leave of 75 days. It is urged that the petitioner is not covered under the notification dated 25.05.2016 as the earned leaves were availed much prior to the date of above notification. Apart from the above, 17 days' leave was also wrongly deducted from the final dues of the petitioner, as according to him, he was very much present on duty during 13.04.2015 to 29.04.2015.

Learned counsel submits that for the same/similar grievance, the petitioner has got served a legal notice dated 28.01.2021 (P10) upon the respondents but its response is awaited.

Notice of motion.

On the asking, Mr. Ayush Sarna, AAG Punjab accepts notice on behalf of the respondents, through video conferencing.

At this stage, learned counsel makes a request that the petitioner would be satisfied if a direction is issued to the competent authority to decide the legal notice in a time bound manner.

Having heard learned counsel for the parties and without commenting upon the merits of the case, the writ petition is disposed of with a direction to the competent authority to consider and decide the claim of the petitioner as contained in the legal notice (P10) by passing a speaking order within 3 months from the date of receipt of certified copy of this order.

Needless to say that in case the petitioner is found entitled on merits to the claim as raised in the legal notice, the same be disbursed within one month from the date of decision of the legal notice.

So ordered.

03.08.2021

vishal shonkar

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No