

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(104+212)

CWP No. 10388 of 2014 (O&M)

Date of Decision : 04.04.2022

Madan Lal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naveen Daryal, Advocate for the petitioner.

Mr. Raman Kumar Sharma, Addl. Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM-5113-CWP-2021

Present application has been filed for placing on record short affidavit of Manoj Kumar, IAS Commissioner, Municipal Corporation, Panipat on behalf of respondent No. 4.

Application is allowed and above stated affidavit is taken on record.

CWP-10388-2014

The present petition has been filed for directing the respondents to grant the petitioner the pensionary benefits, for which he is entitled for along with interest keeping in view the service, the petitioner has rendered with the respondent No. 4-Corporation.

After notice of motion, the respondents have already filed the reply, wherein, it has been mentioned that the necessary pensionary benefits have already been released in favour of the petitioner.

At this stage, learned counsel for the petitioner submits that though the petitioner had rendered service with the respondents from 1974 onwards till he attained the age of superannuation in the year 2014 but only 79 days leave encashment was extended to him though, the maximum provided is 300 days. Learned counsel for the petitioner submits that nothing has come on record to show that why the petitioner was not given the admissible leave encashment to him.

Learned State counsel submits that keeping in view the fact that the petitioner remained absent for a period of more than one year and the leave admissible, was used to regularize the said period and, therefore, whatever the petitioner was found entitled for, has already been extended.

Learned counsel for the petitioner submits that the petitioner has valid reasons that he is entitled for the leave encashment for a period of more than 79 days and, therefore, petitioner be allowed to agitate the same by filing representation before the respondents giving the details to support the said reasons.

Learned State counsel submits that if any representation is filed, the concerned authorities will decide the same within a period of eight weeks of receipt of the said representation.

Learned counsel for the petitioner submits that keeping in view the above, the present petition may kindly be disposed of having been not pressed any further with liberty as prayed for.

Ordered accordingly.

April 04, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No