

121

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

CWP No. 24375 of 2022(O&M)

Date of Decision: 19.12.2022

BUTA SINGH

.....Petitioner

Vs

DISTRICT AND SESSIONS JUDGE AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Surinder Garg, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

The petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of mandamus, directing the respondents to grant benefit of leave encashment for 450 days instead of 300 days, which is being given to the retired employees, who have got extension in service. The petitioner has not availed any extension in service. The petitioner further claims promotion to the post of Reader Grade I w.e.f. 10.04.2021 and also for grant of revised retiral benefits with interest.

Learned counsel for the petitioner submits that as per notification issued by the Government of Punjab, vide which amendment has been made in Sub Rule (b) of Rule 8.21 as well as in Rule 3.26 of Punjab Civil Service Rules to the effect that the employees, who were granted extension in service shall be entitled to draw cash equivalent to unutilised earned leave after completion of extended period of service. The petitioner has retired on attaining the age of 58 years without any

CWP No. 24375 of 2022(O&M)

-2-

extension. At the time of retirement, the petitioner was having 487 earned leave to his credit, but he has not been given benefit of 450 days, rather has been granted benefit of earned leave of 300 days.

Precisely, for the claim in question, the petitioner has also served a legal notice dated 11.02.2022 upon the respondents No.1 and 2.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case his legal notice dated 11.02.2022 is directed to be decided by the respondent No.1 in accordance with law within a reasonable time.

In view of nature of order, which this Court proposes to pass, there is no necessity to call any response from the respondents

In view of aforesaid, this petition is disposed of, thereby directing the respondent No.1 to decide the legal notice of the petitioner in accordance with law within a period of one month from the date of receipt of certified copy of this order.

(RAJ MOHAN SINGH)
JUDGE

19.12.2022

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No