

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

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**CWP-782-2023 (O&M)
Date of decision: 16.01.2023**

Naresh Kumar Aakash

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Alka Chatrath, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition under Article 226 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondents to release the amount of Rs. 84,480/- on account of LTC claim of the petitioner, sanctioned by respondent No.3-District Elementary Education Officer, Sonipat, vide letter dated 11.11.2021 (Annexure P-4), in terms of the instructions dated 05.02.2009 (Annexure P-1) and 18.05.2009 (Annexure P-2) issued by the Government of Haryana, which has not been released by respondent No.4-Headmistress, Government High School, Jahri (3630).

Learned counsel for the petitioner submits that the petitioner has applied for Leave Travel Concession (LTC), but despite the fact that it stands sanctioned by respondent No.3, the same has not been released by respondent No.4. The petitioner time and again represented the department for the same, but when no action was taken by the department, he preferred an application

on CM Window. As per the letter dated 19.10.2022 submitted by respondent No.3 to RTI/CM Window Branch, the LTC Budget has again been allotted to the school.

Learned counsel for the petitioner further submits that the petitioner has sent a legal notice dated 07.11.2022 through his counsel to respondent Nos. 3 and 4, but till date no action has been taken by the department. He further submits that the petitioner will be satisfied, if said legal notice dated 07.11.2022 (Annexure P-9) is decided by respondent No.4, within a stipulated period.

Notice of motion.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State.

In view of the above, the present petition is disposed of with a direction to respondent No.4-Headmistress, Govt. High School, Jahri (3630), District Sonipat, to decide the legal notice dated 07.11.2022 served by the petitioner within a period of 05 weeks or prior to the retirement of respondent No.4, whichever is earlier, by passing a speaking order, in accordance with law.

(HARNARESH SINGH GILL)
JUDGE

16.01.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No