

CWP-10327-2023

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

(114)

CWP-10327-2023

Date of decision:- 12.05.2023

Deepak Kumar Yadav

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Karamveer Singh Banyana, Advocate for the petitioner.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed *inter alia* seeking issuance of a writ in the nature of mandamus directing the respondents to pay interest on the delayed payment of Leave Encashment and arrears of salary. Another direction has been sought to the respondents to re-fix the pay of the petitioner w.e.f. 01.01.2006 in terms of instructions dated 16.04.2012 and to grant him the 2nd ACP w.e.f. 04.03.2014.

2. Counsel for the petitioner submits that the petitioner retired from the post of D.D.P.O. on 31.10.2019. By making a reference to paras 7 and 8 of the writ petition, he submits that there has been a delay in the payment of the arrears of salary and retiral dues. He submits that the petitioner is also entitled to the grant of 2nd ACP, which has not been given. Counsel submits that a legal notice dated 28.09.2022, Annexure P-5, has been served upon the respondents, but without any success and the petitioner would be satisfied in case a direction is issued to the respondents to look into it.

3. Notice of motion.
4. On asking of the Court, Mr. Pankaj Middha, Addl. A.G., Haryana accepts notice on behalf of the respondents.
5. Given the nature of order being passed, this Court does not deem it necessary to call upon a response from the respondents.
6. Having heard counsel for the parties, but without commenting upon the claim as raised in the writ petition or in the legal notice, this petition is disposed of with a direction to respondent No.2 to examine the legal notice, Annexure P-5, within a period of four months from the date of communication of a copy of this order.

12.05.2023
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No