

2023:PHHC:096947
**119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

RSA-5480-2018 (O&M)
Date of decision: 28.07.2023

Maha Singh

..Appellant

Versus

State of Haryana and others

.Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Ajit Kumar Sharma, Advocate for
Mr. R.D.Yadav, Advocate for the appellant

Ms. Vibha Tewari, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

1. The appellant herein was the plaintiff before the trial court. He, after having been appointed as S.S.Master, on 10.01.1994 retired on 31.08.2012, on attaining the age of superannuation. Nearly, after a period of 3 years, he applied for Leave Travel Concession (hereinafter referred to as 'LTC') of Rs.40,592/-. The application was not accepted by the concerned authority. Thereafter, he filed a suit which was decreed, however, the First Appellate Court set aside the judgment and decree passed by the trial court while relying upon a circular dated 16.06.2009. It was provided in the circular that the payment under the LTC has to be applied three months before the date of retirement. But at the same time, the First Appellate Court decreed the suit to the extent of Rs.24,452/- as the same has been found to have been filed within the prescribed time.

2. Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook. Learned counsel representing the appellant submits that the First Appellate Court has

erred in partly modifying the decree as the appellant being a retired employee should have been granted the benefit irrespective of time provided for the submission of such an application.

3. This Court has considered the submissions of the learned counsel representing the parties. LTC, as the name suggests, is a facility/ concession which is granted to an employee under a particular policy decision. An employee desirous of claiming such benefits is required to fulfill all the essential parameters required for the sanction of claims.

4. In view of the aforesaid facts and discussion, no ground to interfere is made out.

5. Hence, dismissed.

6. All the pending miscellaneous applications, if any, are also disposed of.

28.07.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE