

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CWP No. 26165 of 2023
Date of Decision : 21.11.2023

Ramesh Kumar and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gourav Pal, Advocate for
Dr. Rishi Pal Singh, Advocate for the petitioners.

Harsimran Singh Sethi J. (Oral)

In the present petition, the grievance of the petitioners is that the total length of service, which the petitioner has rendered, has not been taken in account as qualifying service for computing the leave encashment and gratuity for which the petitioners are entitled for.

Learned counsel for the petitioners submits that keeping in view Rule 14.2 of Haryana Civil Services (Pension) Rules, 2016, the total service including the ad-hoc service is to be taken into account, hence the same has to be made part of the qualifying service, which has to be taken into account for computing the leave encashment as well as the gratuity.

Learned counsel for the petitioners submits that the petitioners have already filed a representation dated 22.10.2023 (Annexure P-7) claiming the benefit of 300 days of leave encashment

but the same is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Pankaj Middha, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the representation dated 22.10.2023 (Annexure P-7) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the respondent No.2 within a period of eight weeks of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision, the petitioners are found entitled for any benefit, the same will be extended to them within a further period of four weeks.

Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

November 21st, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No