

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-1921-2024
Date of decision : 31.01.2024

Suresh Kumar and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Nitesh Singla, Advocate
for the petitioners.

Mr.Kunal Muthreja, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to release arrears of revised leave encashment to the petitioners along with 9% interest on delayed payments especially in view of the judgment of Full Bench of this Court in *A.S. Randhawa vs. State of Punjab* reported as **1997(3) SCT 468**.
2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners, the petitioners have given a legal notice dated 22.08.2023 (Annexure P-4) and at this stage, would be satisfied in case the said legal notice is considered by the competent authority of respondent no.1 in a time bound manner and if after considering the same, in case, the plea raised by the petitioners is found to be meritorious, then necessary relief be granted to the petitioners.

3.

Learned State counsel has submitted that the competent authority of respondent no.1 would consider the said legal notice and decide the same within a period of 6 weeks from the date of the receipt of certified copy of the present order.
4.

Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the legal notice dated 22.08.2023 (Annexure P-4) of the petitioners and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 6 weeks from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioners is found to be meritorious, then necessary relief be granted to the petitioners and in case, the plea of the petitioners is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 6 weeks from the date of the receipt of certified copy of the present order.
5.

It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.1 would consider and decide the legal notice independently, in accordance with law.

(VIKAS BAHL)
JUDGE

January 31, 2024
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No