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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4916-2024
Date of decision: 01.03.2024

Surinder Singh and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Baljeet Singh Sidhu, Advocate for the petitioners.
Ms. Akshita Chauhan, DAG, 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 in the nature of mandamus directing the respondents to grant petitioners the benefit of leave encashment for 450 days in lieu of unutilized earned leave lying at their credit on the dates of their superannuation rather than payments of 300 earned leaves (paid to the petitioners) alongwith arrears of pay and consequential benefits with interest @ 12% per annum.
2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners in the present writ petition, the petitioners had given legal notice dated 11.10.2023 (Annexure P-4) and they would be satisfied at this stage, in case, the competent authority of respondent No.1-State is directed to consider the said legal notice dated 11.10.2023 (Annexure P-4) in a time bound manner and in case, the pleas

raised by the petitioners are found to be meritorious then to grant necessary relief in accordance with law.

3. Learned State Counsel has submitted that the competent authority of respondent No.1-State would consider the said legal notice dated 11.10.2023 (Annexure P-4) in accordance with law, as expeditiously as possible preferably within a period of six weeks from the date of receipt of certified copy of the present order.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of respondent No.1-State to consider legal notice dated 11.10.2023 (Annexure P-4) in accordance with law within a period of six weeks from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioners are found to be meritorious then the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioners are not meritorious then a speaking order rejecting the same be passed within a period of six weeks from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider the case of the petitioners independently, in accordance with law.

01.03.2024
Pawan

Whether speaking/reasoned:-
Whether reportable:-

(VIKAS BAHL)
JUDGE
Yes/No
Yes/No