

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

CWP-5766-2024

Date of Decision: 12.03.2024

SURAJ BHAN AND OTHERS

...Petitioners

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amit Kaith, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance being raised by the petitioners is that though the petitioners have more than 300 days of leave encashment available to be encashed at the time of retirement but the same has not been done by the respondents, which is causing prejudice to the petitioners.

2. Learned counsel for the petitioners submits that as per the rules governing the service, 300 days of leave can be encashed in case the same is available in kitty of the petitioners and respondents are liable to release the benefits for whatever leave was pending for encashment on the date of the retirement of the petitioners.

3. Learned counsel for the petitioners further submits that the petitioners have already raised the said grievance in the legal notice dated 30.12.2023, copy of which has been appended as Annexure P-5 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.

4. Notice of motion.

5. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice 30.12.2023 (Annexure P-23) 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 competent authority 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, otherwise due reasons for not accepting the claim will be mentioned for the information and necessary action for the petitioner.

6. 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.

7. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
(JUDGE)

12.03.2024

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Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*