

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CWP-9114-2024
Date of Decision :24.04.2024

Khushi Ram ...Petitioner

Versus

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kuldeep Sheoran, Advocate for
Mr. Ashish Pannu, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioner argues that the petitioner has already retired from service on 30.06.2023 but his leave encashment has not been released to him, which is causing prejudice to the petitioner. Learned counsel for the petitioner further argues that as per the judgment of the Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468*, an employee is entitled for the release of his pensionary benefits within a period of two months of the retirement but in the case of the petitioner, 10 months have already passed but the leave encashment has not been released to the petitioner so far, hence, the respondents be directed to release the same to the petitioner along with interest.
2. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by

way of submitting a representation dated 01.01.2024 (Annexure P/1) and petitioner will be satisfied at this stage, in case, a time bound direction is issued to the respondents to decide the said representation.

3. Notice of motion.

4. Mr. Harish Nain, AAG, Haryana, accepts notice on behalf of the respondents and submits that in case, representation dated 01.01.2024 (Annexure P/1) has been received from the petitioner and is still pending consideration with the authorities concerned, the same will be decided in accordance with law and an appropriate speaking order will be passed within a period of 08 weeks from the date of receipt of copy of this order and in case it is found feasible to grant the relief to the petitioner, the same will be extended to him otherwise, due reasons for not accepting the claim of the petitioner will be mentioned in the speaking order so passed.

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

6. Ordered accordingly.

April 24, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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