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

CWP-13029-2024

Date of decision : 29.05.2024

Kanwarjit Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms.Riti Aggarwal, Advocate
for the petitioners.

Mr.T.P.S. Walia, 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 in the nature of mandamus for issuance of direction to the respondents to grant the benefit of leave encashment for 450 days to the petitioners in lieu of unutilized earned leave lying at their credit on the dates of their superannuation.

2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners, the petitioners had given a legal notice dated 02.02.2024 (Annexure P-4) and at this stage, would be satisfied in case the 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



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pleas raised by the petitioners are 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 six 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 02.02.2024 (Annexure P-4) of the petitioners and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of six weeks from the date of the receipt of certified copy of the present order and in case, after considering the same, the pleas of the petitioners are found to be meritorious, then necessary relief be granted to the petitioners and in case, the pleas of the petitioners are not found to be meritorious, then a speaking order rejecting the same be passed within a period of six 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 the legal notice and all the issues including delay and decide the same, independently, in accordance with law.

(VIKAS BAHL)
JUDGE

May 29, 2024
Davinder Kumar