

**CWP-23612-2024 1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****(116)****CWP-23612-2024****Date of Decision : September 17, 2024****Harcharan Singh and others****.. Petitioners****Versus****State of Punjab and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

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

Mr. T.P.S. Chawla, Sr. Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioners submits that once the petitioners are allowed to accommodate 450 days leave under Rule 8.116 of the Punjab Civil Services Rules, Volume I Part I, Chapter VIII, the encashment of the same should have been allowed whereas, only 300 days is being allowed to be encashed after retirement hence, the respondents are liable to be directed to grant the benefit of encashment of 450 days leave.

2. Learned counsel for the petitioners further submits that the grievance raised in the present petition has already been raised by the petitioners in the legal notice dated 02.02.2024 (Annexure P-4) which is still pending consideration with the respondents and the petitioners will be satisfied at this stage in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.



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3. Notice of motion.

4. Mr. T.P.S. Chawla, learned Sr. Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

5. Learned counsel for the respondents submits that in case the legal notice dated 02.02.2024 (Annexure P-4) 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 from the date of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision any relief is to be extended to the petitioners, the same will be extended, otherwise due reasons will be mentioned in the speaking order to be passed for not accepting the claim of the petitioners for their information and necessary action.

6. Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present writ petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

September 17, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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