



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

232

CWP-20863-2023**Date of decision 06.09.2024**

Vir Chand

.....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Tushaar Madaan, Advocate for the petitioner.

Ms. Saguna Arora, A.A.G. Punjab.

Mr. Sarthak Soni, Advocate for

Mr. Sanjeev Soni, Advocate for respondents No.2 to 4.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India, seeking a writ in the nature of mandamus, directing the respondents to grant interest @ 18% per annum on the delayed payment of leave encashment for the period from 31.01.2017 to 28.02.2023 to the petitioner and to release the gratuity of the petitioner along with interest. Further seeking a writ in the nature of certiorari, quashing the order dated 19/20.01.2023 (Annexure P-7), whereby gratuity of the petitioner has been withheld by the respondent-Board.

2. Learned counsel for the petitioner submits that apart from the other grounds which have been taken in the present writ petition, one of the ground to challenge the order dated 19/20.01.2023 (Annexure P-7) passed by the respondent-Board is that the same is cryptic and non-

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speaking order as no reason has been assigned for withholding the gratuity of the petitioner. He submits that no interest on the delayed payment of leave encashment has been paid to the petitioner.

3. Learned counsel for respondents No.2 to 3 submits that the claim of the petitioner shall be reconsidered by the competent authority.

4. In view of the above, the present petition is disposed of with a direction to respondent No.2 to reconsider the claim of the petitioner with regard to gratuity and interest on the leave encashment payment, within a period of 03 months from the receipt of certified copy of this order after affording an opportunity of personal hearing to the petitioner.

06.09.2024*Kothiyal***(NAMIT KUMAR)
JUDGE**

Whether Speaking/reasoned Yes/No

Whether Reportable Yes/No