



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 1849 of 2025

[Divisional Controller, State Transport, Buldana Division, Buldana
..vs.. Ramesh S/o Sampat Sakhare]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V. H. Kedar, Advocate for the petitioner

CORAM : ANIL L. PANSARE J.

DATED : 03-04-2025

Heard.

Learned counsel for the petitioner submits that the respondent was entitled for leave encashment for 131 days as against 152 days. He further submits that the relief of 152 days is granted by the Industrial Court on the count that in the service book, the number of days for leave encashment is written as 152 days, which is corrected to 131 days. The petitioner has paid leave encashment for 131 days. The Industrial Court, however, took a view that since there is no explanation to reduce the days from 152 to 131 days, the respondent will be entitled to leave encashment for entire 152 days.

The argument is that the mistake in mentioning number of days which was corrected could not have been neutralized on the count that there is no explanation. Learned counsel for the petitioner submits that if for some reason mistake is committed, that would be corrected and it will be difficult to assign reason for every mistake. He submits that respondent is entitled for leave encashment for 131 days in terms of circular dated 7-8-2014, which is followed in all cases.

Issue notice, returnable in four weeks.

The petitioner, however, shall deposit amount of leave encashment of Rs. 92,465/- before this Court within four weeks from today.

(Anil L. Pansare, J.)

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