IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.20278 of 2025
Decided on: 30.03.2026

Sh. Prithi Chand … Petitioner

Versus

Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya, Palampur and another … Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?[1]

For the petitioner:	Mr. Radhey Shyam Gautam, Advocate.
For the respondents:	Mr. Prince Chauhan, Advocate, for respondent No.1. Mr. Pushpinder Jaswal, Additional Advocate General, for respondent No.2.

Ajay Mohan Goel, Judge (Oral)

By way of this petition, the petitioner has prayed for the following reliefs:-

> "*i) That the action of the respondent University in not making the payment of due and admissible amount of Leave encashment in favour of the petitioner may be quashed and set aside while issuing writ in the nature of Certiorari.*
>
> *ii) That the respondent University may be directed to pay the due and admissible amount of leave encashment of 300 days as sanctioned vide annexure P-2 to the petitioner along with interest @ 9% from the due date till actual payment while issuing writ in the nature of mandamus.*
>
> *iii) That the respondent No. 2 may be directed to release the funds to the University for liquidating the liability towards payment of arrears of Leave is Encashment to*

[1] *Whether reporters of the local papers may be allowed to see the judgment?*

the petitioner."

2. When the case was listed on 23.03.2026, the following order was passed:-

> "*Despite opportunity granted, reply to the petition not filed. Learned counsel for the petitioner informs the Court that the matter is squarely covered by the judgment of this Court in CWP No.10878 of 2025, titled Himachal Pradesh Agriculture University Pensioner's Sabha versus Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishwavidyalaya and another.*
>
> *Learned counsel for the respondent-University to have positive instructions in this regard.*
>
> *As prayed for, list on 30.03.2026.*"

3. Learned Counsel for respondent No.1 has handed over instructions dated 28.03.2026, which are taken on record.

4. A perusal of the instructions demonstrates that there is no mention therein that the case of the petitioner indeed is not covered by the judgment of this Court, passed in CWP No.10878 of 2025, titled Himachal Pradesh Agriculture University Pensioner's Sabha Versus Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya & Anr., decided on 23.07.2025. The contention of the University is that it is facing shortage of funds and therefore, it is not in a position to release the payments.

5. This Court is of the considered view that in light of the fact that the relief being prayed for by the petitioner is squarely covered by the judgment of this Court, this petition has to be allowed and the same is accordingly allowed in terms of the judgment of this

Court, passed in CWP No.10878 of 2025, titled Himachal Pradesh Agriculture University Pensioner's Sabha Versus Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya & Anr., decided on 23.07.2025 and directions passed therein shall be construed to have been passed in the case of the petitioner also.

6. The respondents are further directed to release the admissible Leave Encashment to the petitioner within three months from today, failing which the said amount shall carry interest @ 5% from the date of this judgment.

7. The petition stands disposed of. Pending miscellaneous application(s), if any also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

March 30, 2026
(Rishi)