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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3528-2026

Date of Decision :20.02.2026

Randhir Singh

...Petitioner

Versus

State of Haryana and Others

....Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Hitesh Pandit, Advocate for the petitioner.

Ms. Tanushree Gupta, Senior Deputy Advocate General, Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to encash the balance leaves to the petitioner.

2. Learned counsel contended that the petitioner was appointed as Science master in the fifth respondent-School on 22.09.1990. The School was getting grant-in-aid from the Government and the petitioner worked on a sanctioned post. He applied for appointment as Headmaster in the Government schools in Haryana and pursuant to a fresh selection, joined as such on 18.10.2004. After rendering twenty years of service, he retired therefrom on 31.03.2024. While the petitioner was in service, the Government vide office order dated 08.04.2013, accorded sanction to count the service rendered by him in the aided school for the purpose of pension. Accordingly, after retirement, he was released all due pensionary benefits. However, he claimed encashment of 127 days of earned leave pertaining to his service in the aided school, which was not encashed by the Government.

3. It is contended that once the previous service has been counted for calculation of pension, he is also entitled to encashment of earned leave by



counting the same service. In support of the contention, reliance has been placed upon a Division Bench judgment, dated 21.03.2017, rendered by this Court in LPA no.1037 of 2015 titled *Ramvir Sharma and others v. State of Haryana and others*.

4. Considering the submissions, this Court is not inclined to entertain the petition. Learned counsel for the petitioner has not been able to refer to any rule or regulation whereby the benefit of leave encashment can be claimed by counting the previous service rendered by an employee prior to joining the Government service. In this view of the matter, his claim for leave encashment, if any, is maintainable only against the fifth respondent. However, the petitioner chose not to raise his claim against the management any time during his service in the School upto October, 2004. The judgment in *Ramvir Sharma* case (*supra*) also does not entitle the petitioner to claim the benefit of leave encashment from the Government, as it is only to the effect that such a benefit is to be granted to teaching and non-teaching employees of an aided school by the concerned management being admissible under sub-rule (3) and (4) of Rule 91 of the Haryana School Education Rules, 2003.

5. In view thereof, the petition stands dismissed. The petitioner, however, will be at liberty to raise his claim against the School management, if permissible in accordance with law.

February 20, 2026

ps

(TRIBHUVAN DAHIYA)
JUDGE

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