



CWP-32014-2019

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

206

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Date of Decision: 20.02.2026

DINESH TALWAR

...Petitioner

Versus

PANJAB UNIVERSITY CHANDIGARH AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Animesh Sharma, Advocate and
Ms. Shuchi Sodhi, Advocate for petitioner

Mr. Sukhpal Singh, Advocate
for respondent No.1

Mr. Rajdeep Singh Cheema, Advocate
for respondent No.2

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent No.2 to pay leave encashment of 247 days instead of 180 days.

2. The petitioner joined D.A.V. College, Sector 10, Chandigarh on 01.08.1986. He was subsequently promoted as Associate Professor. He retired on 31.12.2018. He was granted leave encashment of 180 days though was having 247 earned leaves to his credit.

3. Learned counsel for the petitioner submits that petitioner was employee of D.A.V. College, Sector 10, Chandigarh and his service was governed by Panjab University Calendar. Chapter X of Panjab University Calendar deals with leave for teachers working in non-government colleges



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affiliated to Panjab University. Clause 9 of said Chapter provides that provisions of Punjab Civil Services Rules Volume I (Part 1) (for short 'C.S.R.') for earned leave would be applicable. As per C.S.R., employees are entitled to encashment of maximum 300 days leave. The petitioner was not employee of Panjab University, thus, Rules applicable to teachers of Panjab University were inapplicable.

4. Learned counsel of the respondent-College submits that as per calendar of Panjab University, teachers are entitled to encashment of maximum 300 days leave. There is no teacher who has been paid leave encashment of more than 180 days. In stray cases, by mistake, payment has been made for more than 180 days leave.

5. On being confronted with Clause 9 of Chapter X of Panjab University Calendar, Mr. Rajdeep Singh Cheema, Advocate expressed his inability to controvert that teachers of non-government colleges affiliated to Panjab University are governed by C.S.R. regarding earned leave.

6. Heard the arguments and perused the record.

7. Form the perusal of record, it is evident that petitioner was part of D.A.V. College, Sector 10, Chandigarh which is affiliated to Panjab University. The said college is not a government college, however, is a government-aided college. The teachers of said college are governed by Panjab University calendar. Chapter X of the calendar clearly prescribes Rules for teachers working in non-governmental colleges affiliated to Panjab University regarding leave. Clause 9 specifically provides that provisions of C.S.R. would be applicable regarding earned leave. For the ready reference said Clause is reproduced as below:-



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*“CHAPTER X
LEAVE RULES FOR TEACHERS WORKING IN NON-GOVT.
COLLEGES AFFILIATED TO PANJAB UNIVERSITY
General*

1 to 8 XXX XXX XXX XXX

9. Earned Leave

*Provisions of the Punjab C.S.R. Volume I (Part I)
for earned leave to vacation departments shall apply and
be referred to wherever necessary.”*

8. From the perusal of above-quoted Clause, it is evident that teachers of non-government colleges are governed by C.S.R. regarding earned leave. As per C.S.R., employees are entitled to encashment of maximum 300 days leave. The petitioner was having 247 days earned leave to his credit at the time of retirement. Thus, he was entitled to encashment of 247 days being less than the ceiling.

9. In the wake of above discussion and findings, this Court is of the considered opinion that petitioner is entitled to encashment of 247 days leave instead of 180 days. The respondent is hereby directed to pay leave encashment of remaining 67 days. The needful shall be done within two months from today failing which respondent shall be liable to pay interest @ 9% per annum from the expiry of said period.

(JAGMOHAN BANSAL)
JUDGE

20.02.2026
SDK

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