



2026:CGHC:12724



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4196 of 2021

- Geeta Sharma W/o Late Shri K.K. Sharma Aged About 59 Years R/o G-6, Sichai Colony, Madanpur, Kharsiya, District Raigarh Chhattisgarh.

... Petitioner

versus

1. State Of Chhattisgarh Through Secretary, Water Resource Department, Mantralaya, Nava Raipur , Atal Nagar, District Raipur Chhattisgarh.
2. Executive Engineer Minimata Bango, Canal Division No. 5 Kharsiya, District Raigarh Chhattisgarh.
3. Director Treasury Raipur Chhattisgarh.

... Respondent(s)

For Petitioner	:	Mr. KPS Gandhi, Advocate
For State	:	Mr. Vivek Siddharth Ojha, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

17.03.2026

1. By way of this petition, the petitioner has sought the following relief(s):-

“10.1 Hon’ble may kindly be pleased to call the entire record.

10.2 Hon’ble Court be pleased to set aside the order dated 02.01.2021 and direct the respondent authority to release the remaining 150 days Leave Encashment dues and further direct to recalculate the same.

10.3 Hon’ble Court be pleased to direct respondent authority to release the leave Encashment as per the circular i.e. Maximum limit Earned leave remaining on the date of death but 240 days.

10.4 Hon’ble Court be pleased further direct to



pay the arrears and dues with 12% interest.

10.5 *Any other relief as deemed fit by this Hon'ble Court."*

2. Mr. KPS Gandhi would submit that husband of the petitioner was appointed to the post of Draftsman under the respondents vide order dated 09.04.1979. He would submit that the petitioner completed 25 years of uninterrupted service and died in harness on 06.04.2004. He would fairly submit that respondents have released terminal benefits except leave encashment amount. He would contend that the respondent authorities have granted leave encashment for period of 90 days, whereas, according to Rule 25 of Chhattisgarh Civil Services (Leave) Rules, 1977 (for short "Rules, 1977"), Government servant was entitled to receive leave encashment for period of 240 days. He would pray to allow this petition.
3. On the other hand, learned counsel appearing for the State would oppose. He would submit that husband of the petitioner was entitled to receive leave encashment for period of 224 days. He would submit that the husband of the petitioner had already availed leave encashment for period of 134 days and remaining amount of leave encashment for period of 90 days has already been paid to the petitioner. He would submit that the instant petition deserves to be dismissed.
4. As per Rule 25 of Rules, 1977 and a circular dated 12.5.2014, issued by the State of Chhattisgarh, a Government servant would be entitled to receive leave encashment for period of 240 days. In the present case, the period of leave encashment was assessed by the department itself, wherein, it is held that Government servant was entitled to avail benefit of leave encashment for 240 days. In such circumstances, this petition is disposed of reserving liberty in favour of the petitioner to make a representation before the respondent No. 2, and in turn, the said authority



is directed to decide the claim of the petitioner, preferably within a period of 120 days from the date of receipt of copy of this order.

5. The authority concerned shall consider the relevant rules and circulars issued by the State Government from time to time while taking decision on the representation of the petitioner.
6. With the aforesaid observation(s), and direction(s), the instant petition is hereby **disposed of**.

Sd/-
(**Rakesh Mohan Pandey**)
Judge

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