

Court No. - 35

Case :- WRIT - A No. - 19554 of 2023

Petitioner :- Uzra Aejaaz

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Awadhesh Kumar Sharma, Dhirendra Prasad Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

1. Heard Sri Awadhesh Kumar Sharma, learned counsel for the writ petitioner and Sri Manoj Vashisth, learned Standing Counsel who appears for respondents No. 1 to 4.

2. Challenge has been made to the order dated 17.11.2023 whereby the maternity leave of the writ petitioner for the period from 21.11.2023 to 18.05.2024 has been rejected. Learned counsel for the writ petitioner submits that the said order is totally non-speaking and unreasoned and is liable to be set aside and even otherwise earlier also maternity leave was sought from 07.03.2022 to 02.09.2022 that too even if within two years could not have been rejected in view of law laid down by this Court in the case of **Smt. Richa Shukla Vs. State of U.P. in Service Single No. 32394 of 2019** decided on 11.12.2019.

3. Sri Manoj Vashisth, learned Standing Counsel submits that the order in question appears to be totally non-speaking, unreasoned according to him, the order is set aside, the matter be remitted back to pass a fresh order.

4. Considering the submission of the rival parties as well as the stand taken by them, the order dated 17.11.2023 passed by the second respondent, Joint Director of Education, Kanpur is set aside matter stands remitted back to pass a fresh order strictly in accordance with law within a period of two weeks from the date of production of certified copy of the order.

Order Date :- 2.12.2023

Rajesh