

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

**CWP-11736-2015**

**Date of decision: 02.06.2015**

**Harjit Kaur**

**... Petitioner**

**Vs.**

**State of Punjab and ors.**

**... Respondents**

**CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK**

Present: Ms. Shallie Mahajan, Advocate for  
Mr. R.S. Rana, Advocate  
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

Mr. Anupam Singla, Advocate  
for respondents No.2 & 3.

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**RAMESHWAR SINGH MALIK, J. (ORAL)**

Petitioner, by way of instant petition under Articles 226/227 of the Constitution of India, seeks issuance of a writ in the nature of mandamus directing the respondents to extend the maternity leave upto 180 days along with maternity benefits (pay) in view of the judgment dated 16.05.2013 (Annexure P-2) passed in CWP No.5142 of 2013 (Reena Singla Vs. State of Punjab and others) and order dated 24.04.2015 (Annexure P-3) passed in LPA No.1308 of 2013 (Sarav Sikhiya Abhiyan Society Vs. Reena Singla and others).

Notice of motion was issued.

Short reply by way of affidavit dated 02.06.2015 filed in the Court on behalf of respondents No.2 & 3, is taken on record and copy thereof has been supplied to learned counsel for the petitioner.

Learned counsel for respondents No.2 & 3, while referring to the office order dated 01.06.2015 (Annexure R-1), submits that petitioner has been granted the extension in maternity leave upto 180 days. He further submits that

so far as the entitlement of the petitioner whether she is entitled for maternity leave beyond 90 days upto 180 days with or without pay is concerned, the same will be considered by the competent authority and decided as per the decision rendered by the LPA Bench in LPA No.1308 of 2013. He prays for disposal of the present petition.

Faced with the above, learned counsel for the petitioner also fairly states that let the present petition be disposed of, in view of the statement made by learned counsel for respondents No.2 & 3 and also keeping in view the order dated 01.06.2015 (Annexure R-1), directing the competent authority to decide the entitlement of the petitioner claiming salary beyond 90 days upto 180 days of the maternity leave, as per the decision taken by this Court in LPA No.1308 of 2013, which is still pending decision.

In view of the abovesaid respective stands taken by learned counsel for the parties, present petition is disposed of, with a direction to the competent authority that as and when the abovesaid LPA No.1308 of 2013 (Sarav Sikhiya Abhiyan Society Vs. Reena Singla and others) is decided by the LPA Bench of this Court, entitlement of the petitioner for the benefit of salary beyond 90 days upto 180 days of the maternity leave shall be considered and decided without any further loss of time and in any case, within a period of two months after the petitioner brings the judgment rendered by the LPA Bench, to the notice of said competent authority.

With the abovesaid observations made and directions issued, present petition stands disposed of.

**[ RAMESHWAR SINGH MALIK ]**  
**JUDGE**

02.06.2015  
*vishnu*