

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

CWP No.9398 of 2017 (O&M)  
Date of Decision: May 26, 2017

Harvinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Simranjeet Singh, Advocate for  
Mr. Kanwal Goyal, Advocate  
for the petitioner.

Ms. Lavanya Paul, AAG Punjab.

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**JAISHREE THAKUR, J. (Oral)**

Mr. Gagandeep Singh, Advocate, puts in appearance on behalf of respondent No.2 and files the power of attorney, which is taken on record.

The instant writ petition was filed seeking extension in the maternity leave that had been granted to the petitioner. It is contended that Section 5 of the Maternity Benefit Act, 1961, had been amended to increase the maternity leave from 90 days to 26 weeks.

Notice of motion was issued in the said writ petition, pursuant to which an appearance has been put in by learned counsel on behalf of respondent No.2-Director General School Education-cum-State Project

Director, Sarva Shiksha Abhiyan Authority, Punjab.

Learned counsel appearing on behalf of respondent No.2 contends that the instant writ petition can be disposed of, on account of the fact that general instructions have been issued regarding grant of maternity leave to lady employees working on contract basis under Sarva Shiksha Abhiyan. Under the instructions, maternity leave is to be given for 26 weeks with pay, in the light of the Amendments made in the Material Benefit Act (Amendment) 2017.

In view of the general instructions that have been issued, no further orders are called for in the instant writ petition and the same stands disposed of, as having been rendered infructuous.

**May 26, 2017**  
*vijay saini*

**(JAISHREE THAKUR)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No