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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 4692/2015

BEENA ARORA

..... Petitioner

Through: Ms. Madhumita Bhattacharjee,
Advocate

Versus

DIRECTORATE OF EDUCATION AND ANR.Respondents

Through: Mr. Devesh Singh, ASC & Ms.
Neelam Kholiya, Advocate for respondent

No.1-DOE

Mr. Joginder Sukheja, Advocate for respondent
No.2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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13.12.2017

In this petition, grant of Child Care Leave (CCL) is sought by petitioner.

It is evident from Communication of 25th April, 2014 (*Annexure P-12 colly*) that respondent-School has declined CCL to petitioner for the period from 25th April, 2014 to 9th May, 2014 on the plea that petitioner's absence from school would adversely affect the studies and students and because the matter regarding implementation of Sixth Pay Commission is sub-judice.

Upon hearing and on perusal of order of 25th April, 2014 (*Annexure P12 colly*), the office Memorandum of 11th September, 2008 (*Annexure*

P-4), recommendation of Central Sixth Pay Commission relating to introduction of CCL in respect of central government employees, the material on record, and decision in *Kakali Ghosh Vs. Chief Secretary, Andaman & Nicobar Administration & Ors.* 2014 SCC OnLine SC 325, it is deemed appropriate to direct respondent-Directorate of Education to furnish applicable Circulars/ Rules & Regulations governing grant of CCL, to petitioner within a period of three weeks. Upon receiving of the said copies, the petitioner is permitted to make a fresh application for CCL to respondent-School within three weeks thereafter.

Undisputably, Sixth Pay Commission has been implemented and in view thereof, respondent-School is called upon to decide petitioner's application for CCL afresh in the light of Supreme Court's decision in *Kakali Ghosh (Supra)*, wherein Rule 7 of Central Civil Services Rules (CCS Rules) has been dealt with and also applicable Rules & Regulations governing grant of CCL.

This petition is disposed of with aforesaid directions.

(SUNIL GAUR)
JUDGE

DECEMBER 13, 2017

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