

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2197 of 2018

=====

Rizwana Praween, Wife of Haider, Resident of Vilalge- Narsanda, Post Office- Kanti, Block- Kanti, District- Muzaffarpur, Presently working as Panchayat Teacher in Government Primary School, Narsanda Block- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Muzaffarpur.
4. The Headmaster, Government Primary School, Narsanda, Block- Kanti, District- Muzaffarpur.
5. The Chairman, School Education Committee, Government Primary School, Narsanda, Block- Kanti, District- Muzaffarpur.
6. The Block Education Officer, Kanti, District- Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. J.K. ROY NO.1- SC13

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner has approached this court for a direction to the respondents to consider her case for grant of maternity leave in the light of the Maternity Benefit (Amendment) Act, 2017.

Learned counsel for the petitioner submits that notwithstanding the provisions of Maternity Benefit Act, 2017 the respondents have insisted upon the petitioner for submitting medical leave. He submits that the action of the respondents in not granting maternity leave, which is, as a matter of course, available to the petitioner in terms of the Maternity Benefit Act,



2017, the action of the respondents is violative of Articles 14 and 16 of the Constitution of India.

Considering the scheme of Maternity Benefit Act 2017, the respondents are directed to strictly act in accordance with the provisions of the aforesaid Act and pass necessary orders and grant benefit admissible to the petitioner within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid the writ petition is stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

U			
---	--	--	--

