

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11599 of 2016

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Smt. Geeta Kumari Wife of Om Prakash Yadav, Daughter of Ram Bilash Singh Resident of Village and Post- Charitraban, Buxar, Police Station- Buxar (Town) District Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Human Resources Department , Govt of Bihar, Patna.
2. The Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna. null null
4. The District Education Officer, District Buxar,.
5. The District Magistrate, District Buxar.
6. The District Development Commissioner, District Buxar.
7. The District Project Officer(D.P.O.) Establishment (Secondary Education) District Buxar.
8. The Headmaster, High School, sikaraul(Jalilpur) Buxar, District Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Naresh Sharma
For the Respondent/s : Mr. Gyan Shankar, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ application is non-consideration of the case of the petitioner for grant of leave under the head of child care leave.

Counsel for the petitioner referring to the Bihar Service (Second Amendment) Code, 2014 has submitted that petitioner is entitled to leave for a period of six months to take care of born child but the claim of the petitioner was not decided as yet.



Learned counsel for the petitioner submits that respondents are required to take a decision one way or the other so far as admissibility of the child care leave is concerned. If the child care leave is not admissible to the petitioner, the petitioner is entitled to grant of other admissible leave and the respondents are required to take final decision with regard to admissibility of the child care leave or in the alternative the other leave including the earned leave may be available to the petitioner.

Since no decision was taken by the respondents, the writ petition is disposed of with direction to the respondents to take final decision on the point of child care leave or admissibility of the earned leave or other admissible leave.

Final decision in this regard may be taken by the respondents within a maximum period of sixty days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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