

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 2819 of 2018

Dr. Kiran Gaikwad, W/o Shri Sunil Gaikwad, aged about 30 years, presently posted & working as Aayush Medical Officer RBSK (N.H.M.), Community Health Centre Dongargaon, Rajnandgaon, Chhattisgarh.

---- **Petitioner**

Versus

1. State of Chhattisgarh, through the Seretary, Health & Family Welfare Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Post office & Police Station Naya Raipur, District Raipur, Chhattisgarh.
2. Mission Director, National Health Mission, Indrawath Bhawan, Mantralay Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, Chhattisgarh.
3. Chief Medical & Health Officer, District Hospital, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
4. Block Medical Officer, Block Dongargaon, District Rajnandgaon, Chhattisgarh.

---Respondents

For petitioner	:	Shri S.S Baghel, Advocate.
For Respondent/State	:	Shri Lav Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/04/2018

1. The issue involved in the present case is the denial of maternity benefits to the petitioner only on the ground that she is a contractual employee.
2. The said issue has already been decided by this Court in the case of **Devshree bandhe Vs. Chhattisgarh State Power Holding Company Ltd. & others** in W.P.(S) No. 101 of 2017. The said judgment has also been reiterated in W.P.(S) No. 3365 of 2017 decided on 26.07.2017 in the case of **Dr. Vijay Laxmin Chandra Vs. State of Chhattisgarh & others**.
3. Learned counsel appearing for the Respondents fairly admits that the issue involved in the present writ petition is in fact covered by the aforesaid decision of this Court.

4. In the light of the aforesaid judgments passed by this Court, the present writ petition also deserves to be and is accordingly allowed, with a direction to Respondents No. 3 & 4 to ensure that the petitioner is provided with all maternity benefits at par with the Government employees.

5. The writ petition stands accordingly finally disposed of.

Sd/-

(P. Sam Koshy)
JUDGE

Pawan