

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.7040 OF 2018**

Dr. Manju Rai W/o Roshan Kumar Thakur, Aged About 36 Years Working As Homeopathy Medical Officer, Primary Health Center, Hathband, District Balodabazar Bhatapara Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, Mahanadi Bhawan, Naya Raipur, Mantralaya, District Raipur Chhattisgarh.
2. The Director, Directorate Of Health And Family Welfare, New Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. The Chief Medical And Health Officer, District Balodabazar Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh
4. The Mission Director, National Health Mission, Raipur, Fourth Floor, Cg Housing Board Commercial Premises (South East Corner) Sector-27, New Raipur Chhattisgarh, District : Raipur, Chhattisgarh
5. The B.M.O., Community Health Center, Simga, District Balodabazar Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Harsh Wardhan Jaiswal, Advocate.
For Respondent-State	:	Shri RN Pusty, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26.10.2018**

1. The relief sought for by the petitioner in this petition is for a direction to the respondents to provide child care leave for a period of 730 days.
2. Perusal of record it appears that initially the petitioner went on maternity leave on 01.05.2017 and she remained on leave for a period of an year and thereafter she had moved an appropriate application for considering the period beyond the maternity leave as child care leave which was rejected by the respondent authorities and a show cause notice has been issued to the petitioner on 13.09.2018.
3. The State Govt. had recently taken a decision for grant of child care leave to the female employees working in the State. Whether the said decision made by the State would have a retrospective effect or not would have to

be examined by the respondents and thereafter appropriate reply may be given by the petitioner to the show cause notice and the authorities concerned would thereafter proceed further with the show cause notice in accordance with law.

4. In the given factual matrix of the case as it stands, this court is of the opinion that no strong case is made out for interference either with the impugned order dated 13.09.2018 nor does this court find it appropriate for the disposal of the present writ petition in terms of order dated 07.09.2018 passed by this court in WPS No.5878 of 2018 as subsequent to the decision of the said writ petition the State Govt. has taken a decision for providing child care leave to the female employees in the department.
5. For the aforesaid reasons, the writ petition stands dismissed.

Sd/-
(P. Sam Koshy
Judge