

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.25289 of 2018

ORDER

This writ petition is filed seeking a writ of mandamus declaring the action of respondents in not considering the application dated 01.06.2018 submitted by petitioner for grant of maternity leave for a period of twenty six weeks as per Section 5(3) of the Maternity Benefit Act, 1961 (for short 'the Act') as amended under Amendment Act, 2017, as illegal, arbitrary and unconstitutional and consequently direct the respondents to sanction the said maternity leave to petitioner.

2. Heard learned counsel for petitioner and learned Government Pleader for Social Welfare for respondent No.1.

3. In similar circumstances, this Court passed interim order dated 06.09.2017 in W.P.M.P.No.37379 of 2017 in W.P.No.30006 of 2017, copy of which is filed along with the writ petition, directing the respondents to consider the application of petitioner therein for grant of maternity leave for a period of twenty six weeks as per Section 5(3) of the Act.

4. The grievance of petitioner herein is that though she filed application for grant of maternity leave in terms of the Act, the respondents have not considered the same.

5. In those circumstances, the Writ Petition is disposed of, directing the respondents to consider the application of petitioner in accordance with law, and if she satisfies the criterion laid down in the statute and the rules made there under, they shall grant the relief

as sought for, within two weeks from the date of receipt of a copy of this order. No order as to costs. Miscellaneous petitions, if any, pending in this petition shall stand closed.

CHALLA KODANDA RAM, J

24th July, 2018

Note:
Issue CC in two days.

sj

