

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.5696 OF 2019**

Smt. Shailendri Sahu D/o Boduram Chandravanshi Aged About 23 Years
W/o Shri Pushkar Sahu, Presently Working As Staff Nurse, District
Hospital- Kabirdham, R/o Village- Manikpurichouri, Tahsil- Kawardha,
Kabirdham, District- Kabirdham, Chhattisgarh.

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

1. The State of Chhattisgarh Through The Principal Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District- Raipur, Chhattisgarh.
2. Director Directorate of Health Service, Indrawati Bhawan, Mantralaya, New Raipur, Atal Nagar, District- Raipur, Chhattisgarh.
3. Mission Director National Health Mission, Raipur, District- Raipur, Chhattisgarh.
4. The Collector At Kabirdham, District- Kabirdham, Chhattisgarh.
5. Chief Medical Health Officer At Kabirdham, District- Kabirdham, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Rishikant Mahobia, Advocate
For Respondents 1&3	:	Shri Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05.08.2019**

1. The grievance of the petitioner is that, the petitioner availed the maternity leave between the period from 01.09.2018 to 27.02.2019. According to the petitioner, during the said period of six months, the petitioner has been paid salary only for the month September, 2018 and for the remaining five months she has not been paid any salary.
2. The issue so far as entitlement of maternity leave is concerned, is by now well settled by the decision of this court in case of Devsri Bandhe Vs. State of Chhattisgarh & Ors. The question so far as petitioner is concerned, is that since she has been granted maternity leave between

01.09.2018 to 27.02.2019 whether she would be entitled for salary or not, particularly when the petitioner has been paid salary for the month September, 2018, till date the claim of the petitioner has not been rejected/decided by the officers under respondents-State.

3. Given the aforesaid facts and circumstances of the case, let the respondents No.2&5 take an appropriate decision in accordance with rules and guidelines as also the judgment passed by this court in Devsri Bandhi (Supra) so far as petitioner's claim for unpaid salary during the maternity leave that she has availed between 01.09.2018 to 27.02.2019 is concerned, at the earliest preferably within a period of three months from the date of receipt of copy of this order.
4. It is made clear that this court has not expressed any opinion on the merits of the case. The authorities are expected to take a decision purely in accordance with rules governing the field and the judgments passed by this court as well as the Supreme Court on the subject matter.
5. Accordingly, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge