

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 509 of 2019**

Smt. Jyoti Bhagat W/o Jitendra Patel Aged About 32 Years Working As Office Assistant Grade- III CspdcI Sarangarh, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of CspdcI, Mahanadi Bhawan, Naya Raipur, Mantralaya, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Executive Engineer (O And M) Dn, CspdcI, Sarangarh, Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Tapan Kumar Chandra, Advocate
For State	:	Mr. Sameer Behar, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/02/2019**

1. Heard on I.A. No. 2, which is an application for amendment in the cause title.
2. Considering the facts and circumstances of the fact amendment application is allowed.
3. Let necessary amendment be carried during the course of the day.
With the consent of the parties the writ petition was heard on Admission.
4. Present writ petition has been filed substantively seeking a direction to the respondents to release the salary to the petitioner during the period she has availed maternity leave.
5. Counsel for the petitioner submits that the petitioner was initially appointed as a regular employee under the respondents vide order dated 07/08/2013 on the post of Assistant Grade-III. Counsel for the petitioner further submits that in the year 2017 the petitioner went on

maternity leave between 04/09/2017 to 21/02/2017. The grievance of the petitioner is that during the period, the petitioner availed maternity leave, she has not been granted salary and other emoluments for which she is entitled.

6. Given the limited grievance that the petitioner has raised and so far as granting of maternity leave is concerned, issue has been already decided by a series of decisions by the Supreme Court as well as by this High Court. The case of the petitioner needs consideration by the respondents. Accordingly, present writ petition stands disposed off with a direction to the petitioner to make a fresh representation to the respondent No. 2 within a period of 15 days who in turn shall consider and decide the claim of the petitioner at the earliest preferably within a period of 60 days from the date of receipt of representation on behalf of the petitioner.
7. Accordingly, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit