

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CWP-19427-2019

Date of Decision: 21.11.2019

Simarjeet Kaur

--Petitioner

Versus

Secretary Education Shiromani Gurudwara Parbandhak Committee and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Jasvir Singh Dhaliwal, Advocate for
Mr.G.S.Sidhu, Advocate
for the petitioner.

Dr. Puneet Kaur Sekhon, Advocate
for the respondents.

TEJINDER SINGH DHINDSA.J.

The petitioner who is serving on the post of Lecturer in Punjabi with the Guru Nanak College, Budhlada, District Mansa has filed the instant petition seeking a mandamus for directing the respondents to grant to her the benefit of six months Child Care Leave.

As per pleadings on record, the College in question is affiliated to Punjabi University, Patiala and is managed by Shiromani Gurudwara Parbhandak Committee, Amritsar.

There are categoric averments in the petition that the petitioner has a minor son, aged 3 years and who is suffering from hearing and speech disability and which has been assessed to the extent of 95%. Certificate in such regard issued by the Post Graduate Institute of Medical Research (PGIMER), Chandigarh has been appended as Annexure P-1.

Even though, pleadings in such regard are lacking, yet it is the categorical contention raised by counsel that the Rules/Calendar of Punjabi University, Patiala contemplate the grant of benefit of Child Care Leave. Further urged that in another college, namely, Khalsa College, Patiala, which is also affiliated to Punjabi University, Patiala and is managed by SGPC, Amritsar, the benefit of Child Care Leave has been made admissible.

Keeping in view the prayer raised in the instant petition and without even ascertaining the correctness of the averments made in the petition as also without opining on the merits of the claim, I deem it appropriate to dispose of the instant writ petition in terms of granting liberty to the petitioner to approach respondent No.2 as regards her claim. In the eventuality of any application/representation being preferred seeking benefit of Child Care Leave, respondent No.2 would be obligated to consider the same in accordance with law and pass a final order thereupon within a period of two weeks from the date of submission of the application and after affording the petitioner an opportunity of personal hearing.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

21.11.2019
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- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No