

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

**CWP No.18111 of 2020 (O&M)
Date of Decision: 23.12.2020**

Kamlesh Kumari

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Naveen Sheokand, Advocate for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana for the respondents.

MAHABIR SINGH SINDHU, J.

Present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus seeking directions to the respondents to grant Child Care Leave (*for short 'CCL'*) to the petitioner under Section (*sic – Rule*) 46 of the Haryana Civil Services (Leave) Rules, 2016.

The co-ordinate Bench while issuing notice of motion on 30.10.2020 passed the following order:-

“The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Learned counsel for the petitioner submits that the petitioner is working as a Radiographer and presently is posted in the MLA Hostel Dispensary, Sector-3, Chandigarh. She gave birth to a daughter on 07.10.2016 and as per Section 46 of the Haryana Civil Service (Leave Rules) 2016, she is entitled to avail the child

care leave. He further submits that the petitioner has applied for the aforesaid leave, but vide order dated 02.07.2020 (Annexure P-5), the same has been declined without assigning any reason.

Notice of motion for 25.11.2020.”

Today, during the course of hearing, learned State Counsel, on instructions from the Office of Civil Surgeon, Panchkula, has apprised the Court that in case petitioner moves an appropriate application for seeking the CCL, the same shall be considered and decided expeditiously in accordance with law.

In view of the above submission, learned Counsel for the petitioner does not wish to press the present petition.

Disposed off as not pressed.

However, it is clarified that in case an application for seeking CCL is made by the petitioner within one week from today, let the same be considered and decided in accordance with law within next week thereafter.

December 23rd, 2020

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>